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Second Session, 37th Parliament

Assemblée législative de l'Ontario

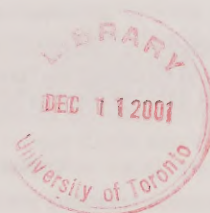
Deuxième session, 37^e législature

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Monday 3 December 2001

Lundi 3 décembre 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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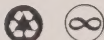
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 décembre 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

HEALTH CARE

Mrs Lyn McLeod (Thunder Bay-Atikokan): I want to be sure the Minister of Health has seen the advertisement that is running in papers across northern Ontario. The ad is paid for by the Northwestern Ontario Municipal Association. It's supported by concerned citizens, educators and medical practitioners across the north.

These are all people who understand the importance of training doctors in the north. These are people who were ready to welcome the government's initiative in establishing a new medical school in northern Ontario, but they are also people who believe the government's motto for the medical school is the wrong one. That's what the ad says to the government and to the people appointed to implement the government's proposed model: you are doing the wrong thing.

Laurentian and Lakehead universities developed the proposal for a new medical school and it was always to be a school with two equal campuses: one in the north-east and one in the northwest. That's the model that had the support of all municipalities across the north, that's what was presented to the government's expert panel on physician shortages and that's what the commission recommended. But it seems Mike Harris's political friendships counted for more than the government's own expert panel. Now we have an important initiative that could have made a huge difference to health care in northern Ontario, but won't, because it is the wrong model.

There's a big price to be paid for doing this the wrong way. The two-year clinical program will not get off the ground in northwestern Ontario and we will lose this important opportunity to introduce new medical school students to practise in the northwest. We will continue to have a shortage of doctors and people will continue to either go without care until there's a crisis, or they will seek costly care in hospital emergency rooms.

Communities should not have to take out ads in the paper to persuade government to listen and to understand what they're trying to say. They don't know what else to do to get the government to hear them. Let's hope this works.

SUPPORTLINK

Mr Garfield Dunlop (Simcoe North): I rise today in the House to speak about an important program that our government has started in partnership with Ericsson and Rogers AT&T Wireless. It's called SupportLink.

The focus of the program is to keep victims safe through planning and awareness. Victims referred to SupportLink are offered specialized planning services to assist them in keeping safe and providing them with techniques to prevent or escape potential problem situations. Victims who are most vulnerable and lack the resources to acquire a wireless phone of their own may receive a free wireless phone, pre-programmed to dial 911 in the event of a personal safety emergency.

In 1999 the Harris government initiated the SupportLink program with two pilot sites in Ottawa and Barrie. Following the success of these programs, SupportLink is being expanded province-wide to 18 additional sites over the next two years. This year, new sites will be located in Durham, Muskoka, Peterborough, Brant, Dufferin, Guelph, Niagara, Peel, North Bay, Timmins, Toronto, and in my riding of Simcoe North. The program is being administered in my riding of Simcoe North, in Orillia, through the North Simcoe Victim Crisis Services, an amazing organization run by executive director Patricia Heath.

I'd like to thank them for continuing to work with victims to make our communities a better place to live. I'd also like to thank the Orillia detachment of the OPP for their support, Attorney General David Young, the Office for Victims of Crime and all the volunteers who work with the North Simcoe Victim Crisis Services to make our community a better and more caring place to live.

FOOD SAFETY

Mr John Gerretsen (Kingston and the Islands): With the aftermath of the Walkerton tainted water scandal still fresh in all our minds, the safety of the food we eat on a daily basis is of utmost importance to all Ontarians. The principal responsibility of the Ministry of Agriculture, Food and Rural Affairs is to manage the food safety risk in order to protect all consumers.

As pointed out by Erik Peters, our independently appointed Provincial Auditor, in this year's annual report, the meat and produce we eat and the milk we drink are

becoming increasingly contaminated. "They"—and I quote him—"pose risks to human health and deficiencies are not corrected in a timely manner."

Meat is inspected by how it looks and smells, and not by the antibiotics it contains. Ninety per cent of all goat's milk shows excessive bacteria counts. Over one third of all deficiencies noted by him were detected again the following year, in meat inspections, milk-dairy operations and excessive amounts of chemicals in our fruits and vegetables.

Has this government not learned anything from Walkerton? Do we really feel safe about the food we eat when the staff has been reduced from 103 full-time inspectors in 1995 to only eight in 2000? Do we really need a crisis like Walkerton to occur in our food inspection area before this government will take action?

On behalf of all Ontarians, I ask the government to stop implementing its \$2.2-billion corporate tax cut today and reinvest in quality and accessible health care, affordable and universal education, and adequate inspection programs in water and food safety so that all of us will feel safe and secure in the food we consume on a daily basis.

LABOUR DISPUTE

Mr Peter Kormos (Niagara Centre): On Saturday morning I was extremely proud to join workers in Whitby on their picket line, members of CAW Local 1000, the employees of Value Village in Whitby who have been forced out on strike on to the streets since October 10 in their efforts to negotiate a first contract.

Mostly women, these workers are being paid \$8 an hour for what is nothing other than and best described as sweatshop work conditions. These workers had the courage and the tenacity to organize, to join a trade union, in a climate in this province created by Mike Harris and the Conservatives that we know discourages trade unionization. These workers have banded together in solidarity as Autoworkers to take on this bad boss, this sleazy employer, Value Village.

The boss, the employer, Value Village, is trying to bust that union. These workers aren't going to let that happen, their union leadership isn't going to let that happen, other working women and men acting in solidarity with these workers aren't going to let that happen, and the NDP is going to do everything it can do to make sure it doesn't happen.

I call upon the members of this Legislature and indeed folks across this province to boycott every Value Village retail outlet in this province, until Value Village sits down at the bargaining table with these workers in Whitby and organizes a contract that's fair, guarantees fair salaries and guarantees workplace conditions where the workers have some control over their occupational health and safety.

Value Village, bad boss, sleazy employer: we're standing with the workers.

CHEMOTHERAPY CLINIC

Mr Doug Galt (Northumberland): I rise in the House today to celebrate the opening of the new chemotherapy clinic at the Northumberland Health Care Centre. As our population ages, there will be more and more demand on our health care system. This clinic will provide the chemotherapy services necessary for the residents of Northumberland right in their own backyard.

For example, in the year ending March 31, 2001, 10 patients received 39 chemotherapy treatments in the Northumberland Health Care Centre. In the past six months, six patients received 26 treatments. It appears that the number of treatments will almost double this year over last. The need for a local clinic is clear.

An open house held last week at the clinic showed what the community has accomplished through fund-raisers, gifts and donations. With these proceeds, the clinic was able to purchase comfortable recliners and many other homey touches such as curtains, wallpaper borders and attractive framed prints.

Through Cancer Care Ontario, the government is ensuring that people in Ontario receive high-quality cancer treatment. One of its mandates is to ensure that patients across the province receive the same high quality of care regardless of where they live.

Our government is committed to supporting our cancer patients. I commend the efforts of the Northumberland Health Care Centre, and I'm pleased to congratulate our community for working together in the opening of this clinic.

1340

HIGHWAY SAFETY

Mr Michael Gravelle (Thunder Bay-Superior North): As the Minister of Transportation will know, a tragic accident near Shabaqua this past Friday between two transport trucks completely shut down the Trans-Canada Highway this past weekend. Because one of the vehicles contained PCBs, extreme caution is being used. It is expected that even now, three days later, there will be only one lane of traffic open until at least tomorrow.

The province must recognize that when an accident such as this takes place on that particular stretch of the highway, there are no other options for drivers going east or west. It has happened before and I fear, unfortunately, that it will happen again. Surely the most recent tragedy should be a wake-up call for the Minister of Transportation. A divided, four-lane highway must be constructed on this stretch so that road closures such as the one we are now experiencing can be avoided. Perhaps, more significantly, it is clear that this accident never would have taken place were the transports travelling on such a divided highway.

We need more than a rehabilitation of our highways in our part of the province. We need a rejigging of the priorities so that this vital project, a divided, four-lane highway between Nipigon and Shabaqua, is treated as a

real priority by this government. We are tired of being treated as second-class citizens as far as highway improvements are concerned.

While I have the attention of the minister, I'd like to ask him to provide proper lighting on the Thunder Bay Expressway. All of us who use the expressway after dark find it a frightening experience. In light of the increased inter-city volume of traffic that is on the expressway, I would figure that officials would agree proper illumination is vital. The next time you're in Thunder Bay, Minister, I would invite you to travel on the expressway after dark. I suspect that would be enough to convince you of the need for this crucial safety improvement.

HANUKKAH

Mrs Tina R. Molinari (Thornhill): It gives me great pleasure to speak today about the Jewish festival of Hanukkah, which will begin Sunday, December 9 at sundown and will be widely celebrated throughout my riding of Thornhill.

Hanukkah comes from the Hebrew word meaning "dedication," and is celebrated for eight days in the Hebrew month of Kislev, which usually occurs in mid- to late December. Hanukkah recalls the struggle of religious freedom and commemorates the victory of the Jewish fighters, the Maccabees, over the Hellenistic Syrians in the year 165 BCE. The Maccabees became legendary in later years, largely due to the Jewish historian of the first century, Josephus. His retelling of the Hanukkah story became immensely popular during the Middle Ages. It was Josephus who first referred to Hanukkah as the Feast of Lights.

Jewish families across Thornhill and the province will celebrate Hanukkah by lighting the eight lights of the menorah, which celebrate the miracle of a one-day supply of oil lasting for eight days. I will have the pleasure of taking part in some menorah lightings in Thornhill, in particular on December 15 at the Chabad Lubavitch of Markham.

I would like to take this opportunity to wish the families in my riding of Thornhill and across Ontario a very happy Hanukkah.

CANADIAN CELEBRATION IN NEW YORK

Mr Gerry Phillips (Scarborough-Agincourt) I want to salute all Canadians, including a huge number from Ontario, who went to New York City this weekend. There were 20,000 people at that rally. It's very important to show our support for our neighbours. New York was dealt an enormous blow on September 11, and it is slowly getting back on its feet, but it does need the support of its friends.

Ontario's police and fire services did us particularly proud by presenting a \$200,000 donation to the victims and families of the police services in New York. Our fire services donated a huge new vehicle.

Probably no two countries in the world have closer and more friendly relations than Canada and the US.

I was in New York with my daughter and my 7-year-old grandson—all at my own expense, by the way, just in case the taxpayers are worried—and we went throughout Manhattan. I can tell you that New Yorkers were very much aware that their friends from Canada were there, and they really appreciated it. After the event, Mayor Giuliani said it was the most uplifting event he has experienced since September 11. As I walked around Manhattan there was a song that kept going over in my mind, *That's What Friends Are For*—in good times, in bad times.

New York has had a tough time, and it was good to show our terrific friendship with our good friends in New York City. I congratulate all who travelled down there.

FIREFIGHTERS

Mr Toby Barrett (Haldimand-Norfolk-Brant): Earlier this month a ceremony was held outside this Legislature to honour brave men and women, the firefighters of Ontario, and Lieutenant Governor Hilary Weston was on hand to give out Ontario medals for firefighter bravery. I'm proud to say that one of the 15 recipients was from my riding of Haldimand-Norfolk-Brant. As we've become more aware in recent months, firefighters must be prepared to face danger each and every day. They must have the skills it takes to handle an emergency, but more important, they must have the bravery it takes to face the sometimes life-or-death challenge.

Last July, Phil McCulla, of the Norfolk County Fire Department, was off duty east of Turkey Point when he spotted the scene of a head-on collision, and he responded in the only way he knew how—with skill and bravery. Hearing a woman screaming from one of the vehicles, McCulla flew into action, pulling the woman from the car. He then battled extreme heat and flames to rescue a trapped boy who was unable to move because of two broken legs. As Solicitor General David Turnbull noted at the medal presentation, "Philip risked his life so that the mother and child could live." Philip was one of six to receive the Ontario Medal for Firefighter Bravery. We recognize Philip McCulla, firefighter, hero and Norfolk county resident.

VISITORS

Hon Dan Newman (Minister of Northern Development and Mines): On a point of order, Mr Speaker: I'd ask you and all members of the Legislative Assembly to join me in welcoming Linda Brett, mother of one of our pages, Andrew Brett, from Scarborough Southwest, to the Legislature today.

INTRODUCTION OF BILLS

COMPENSATION FOR VICTIMS OF CRIME AND SOLICITORS STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS SUR L'INDEMNISATION DES VICTIMES D'ACTES CRIMINELS ET DES PROCUREURS

Mr Bartolucci moved first reading of the following bill:

Bill 146, An Act to amend the Compensation for Victims of Crime Act and the Solicitors Act / Projet de loi 146, Loi modifiant la Loi sur l'indemnisation des victimes d'actes criminels et la Loi sur les procureurs.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Rick Bartolucci (Sudbury): I was honoured to be at the kickoff of Action Sudbury's Red Ribbon program on Friday, and in their honour I introduce this bill. This bill amends the Compensation for Victims of Crime Act to allow victims of motor vehicle offences under the Criminal Code of Canada, such as impaired driving, to apply for compensation under the act. At present, victims of those offences are not allowed to apply for compensation under the act, and I believe with the passage of this bill there will be fairness for all who are victims of crime because of impaired drivers.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to midnight on Monday, December 3, Tuesday, December 4, and Wednesday, December 5, 2001, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Arnott, Ted
Barrett, Toby

Galt, Doug
Gerretsen, John
Gilchrist, Steve

Newman, Dan
Ouellette, Jerry J.
Patten, Richard

Bartolucci, Rick
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Chudleigh, Ted
Clark, Brad
Cleary, John C.
Clement, Tony
Coburn, Brian
Colle, Mike
Conway, Sean G.
Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim

Gill, Raminder
Gravelle, Michael
Hoy, Pat
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Kells, Morley
Kennedy, Gerard
Lalonde, Jean-Marc
Levac, David
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
McLeod, Lyn
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Phillips, Gerry

Peters, Steve
Pupatello, Sandra
Ramsay, David
Runciman, Robert W.
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Smitherman, George
Snobelen, John
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob
Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Hampton, Howard

Kormos, Peter
Marchese, Rosario

Martel, Shelley
Prue, Michael

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 73; the nays are 6.

The Speaker: I declare the motion carried.

INTERNATIONAL DAY OF DISABLED PERSONS

JOURNÉE INTERNATIONALE DES PERSONNES HANDICAPÉES

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): Mr Speaker, on a point of order: Might I seek unanimous consent from the House to have five-minute statements from each of the caucuses with respect to the International Day of Disabled Persons?

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Jackson: December 3 is the day that the United Nations has set aside as the International Day of Disabled Persons. It is an annual opportunity for governments all around the world, for persons with disabilities, their families, their friends and their caregivers, to celebrate their achievements and focus on public awareness of issues around disabilities.

Ontario is already recognized as a leader in services for persons with disabilities in Canada. Our foundation of legislation and services for persons with disabilities includes the federal Charter of Rights and Freedoms as well as the Ontario Human Rights Code, and they are considered the strongest in North America.

A strong Human Rights Code provides a solid basis for the rights of persons with disabilities in this province. The code and the commission have an impressive record of protecting the rights of all residents, including persons

with disabilities, yet we know that we can do much more in this regard. That's why this government is planning legislative amendments that would update, improve and strengthen the Ontario Human Rights Code. I'd like to acknowledge the work of the chief commissioner, Keith Norton, and his commissioners.

There is a special feeling to the events that mark the International Day of Disabled Persons this year. With our recently released Vision of a more inclusive and accessible society, with our Framework for Change for Persons with Disabilities and with our proposed legislation, the Ontarians with Disabilities Act, Bill 125, we have embarked on a course that is considered one of the broadest and strongest in all of Canada.

1400

We're determined to increase the independence, the opportunity and the quality of life for persons with disabilities, to achieve a province where existing barriers are removed and have a legislated plan in place in order to remove existing barriers. All of us have a role to play in this important goal. That's why we've consulted Ontarians so widely in preparing our accessibility strategy. We have met with hundreds of persons with disabilities and their organizations, parents of children with disabilities, municipalities and even the private sector. These are valuable meetings, and they reinforced my belief that Ontarians were up to the challenge of assisting this government in establishing standards and guidelines that can be enacted to improve the lives of persons with disability.

Last Friday, further public hearings began in Ottawa on Bill 125, and these hearings continue in Windsor, Toronto, Sudbury and Thunder Bay this week. The hearings reflect our continued commitment and desire to make a good bill even better by holding it up to public review and consultation.

The government's proposed Framework for Change would directly affect four key areas: the Ontario public service, the municipalities, the broader public sector and the private sector. Each has a role to play in helping Ontario achieve its vision for persons with disabilities and each is affected by the mandatory and the non-mandatory measures.

I am encouraged that the private sector has already taken measures to improve accessibility in our province. The best examples we have are the Greater Toronto Hotel Association, the Ontario Restaurant Hotel and Motel Association and Tourism Toronto.

Earlier today, I launched a new ministry Web site at the Granite Brewery restaurant on Eglinton Avenue in Toronto, a fully accessible private sector restaurant. The Granite Brewery has menus in Braille, the public telephone is lower to accommodate persons in wheelchairs, audible emergency signals have been installed for customers who are blind or visually impaired and the staff have been specifically trained to provide good customer service to persons with disabilities. When I asked Ron Keefe, the owner, what prompted him, he said the CNIB and seniors in their immediate community, in their

neighbourhood, have a right to have full access to his business.

That's why I think it is important for us to include all sectors in our Vision for improving the quality of life for individuals with disabilities in our province. You'll find more about the Granite Brewery and many other leading-edge companies on the ministry's brand new Web site, Paths to Equal Opportunity, which was launched this morning.

Later today, I will be attending the March of Dimes 50th anniversary open house and reception. The Ontario March of Dimes and the Ministry of Citizenship have forged a strong working relationship over the years. We respect them as leaders in their field, and we rely on their expertise and their commitment to persons with disabilities. All in all, the ministry has provided significant funding, but it is this relationship which has worked so successfully.

The March of Dimes is not unlike hundreds of organizations, with their dedicated staff and volunteers who are inspired by their service to disabled citizens. As members, we continue to be inspired by their spirit and their hopes for our future.

Ontarians want to do what's right, and they have demonstrated this time and time again. Our Vision, our Framework for Change and our proposed disabilities legislation will, I believe, be welcomed into Ontario's historic wellspring of justice and fairness.

Barriers still remain; we know that. But together we must set about the task of removing them. Only the Ontario government is prepared to make the first step to empower disabled persons to make decisions about removing barriers to accessibility, services and employment in their communities. Working in partnership with municipal government, agencies and institutions in the broader public sector, the private sector, persons with disabilities and all caring Ontarians, this government is leading the province to full accessibility and equal opportunity for all its citizens.

Mr Dwight Duncan (Windsor-St Clair): On behalf of the official opposition, I and my colleague from Ottawa Centre will share our five minutes to make a few comments about the International Day of Disabled Persons.

As we reflect on the contribution of the disabled community not only in this country but around the world, we think of people like Franklin Roosevelt, or like Gary Malkowski, who was the first deaf person elected to this Legislature. We think of the enormous contributions that have been made by many people who face challenges the rest of us don't in terms of making this world a better place, whether here in the Legislature or right across Ontario.

This day also gives us reason to pause and reflect on what contributions may have been met, what opportunities may not have been forsaken, had we truly had a more accessible society in the past, had we as a people made greater efforts and striven further in days past to ensure that accessibility. The numbers of persons in our society who are disabled are truly astounding, and their

contributions are truly remarkable. Tomorrow, the Order of Ontario will be bestowed on one of my constituents, Danielle Campo, a remarkable young woman who represented this country so well in the Paralympics. I'll be speaking more about that tomorrow.

But we must reflect always on how we deal with these issues legislatively and from a public policy perspective. The minister referenced the achievements of successive governments in this province, whether it was the government of Bob Rae or the government of David Peterson or the government of William Davis or John Robarts, that have consistently moved us forward. Today in committee in Windsor, we are debating the government's Ontarians with Disabilities Act, a bill that we feel is flawed, but we will have more to say about that in the committee hearings and as we continue debate in this House.

It's ironic that those hearings had to be moved at the last minute today in Windsor because the facilities that were booked were not accessible to the disabled. It is an important matter, when we deal with the issues confronting disabled persons, that we be sensitive to their needs, in a timely fashion, but one that will allow full accommodation as a government. It's unfortunate that at a time when the world, particularly the United States with its Americans with Disabilities Act, has moved so far forward, we are left moving hearings at the last minute because the site we chose as a government was not accessible for Ontarians with disabilities. It is a commentary not on the government but on this society that that sort of thing should happen. It is a commentary on all of us, that each of us needs to strive to recognize the enormous potential that people in our communities have to give to society and to improve society. We in the official opposition pay tribute to those among us with disabilities who contribute every day to the greatness of this province and country.

With that, I'll give the remaining time to my colleague from Ottawa Centre.

Mr Richard Patten (Ottawa Centre): I would like to add that I had the experience last Friday of sitting in on some hearings to look at the Ontarians with Disabilities Act proposals that are before the people, and it's quite a moving experience.

There was one gentleman suffering from multiple sclerosis who in particular had an impact. His statement was, "The bill as it is proposed does not, of course, deal with the private sector," which is fundamentally important, because in the daily lives of most disabled people, about 75% to 80% of their experience has to do with barriers in the private sector. He used the analogy of one step. He said, "Everywhere I go, there's one step." He's in a wheelchair and he struggles even being able to manage the wheelchair. He said, "I keep hitting upon trying to go to a coffee shop. There's one step, and it's a barrier. I try to go to a dry cleaner's; there's another barrier because of that one step." He said these things do not take massive amounts of resources. There are no incentives even for the private sector to make improvements to some of their places. He said that will be, at the end of

the day, what we will see as a measurement of the commitment of this government, because it is in the government's hands.

We will vote for you with some support in addressing the private sector to play a role in supporting the disabled people in our province.

1410

Mr Howard Hampton (Kenora-Rainy River): International Day of Disabled Persons: a day established by the United Nations to recognize that people who struggle with disabilities are often not fully included, not fully given access or allowed to access all of the work, all of the physical settings, all of the participation in our society that we believe needs to happen.

It is clear that headway is being made in other countries around the world in terms of recognizing the challenges that individuals who suffer with disabilities face. It is clear, for example, the strides that have been made in a number of European countries. It's clear, for example, by some of the legislation that has been passed in the United States. We would hope that in our province, the province of Ontario, we would similarly take steps to broaden the access in employment, broaden the access physically, broaden the access in terms of participation in society.

At this time we are in fact debating legislation, Bill 125, which the minister says is Ontario's answer. On this day, I simply want to comment once again on the reality of Bill 125, which is being heard now in hearings being held across the province. The people who are coming to the hearings are not congratulating the government; the people who are coming to the hearings are pointing out the shortfalls in the legislation. This is what they point out:

There are no mandatory requirements for the private sector: the private sector does not have to increase the physical accessibility to buildings; the private sector does not have to think about accessibility in terms of employment or other participation.

There is no enforcement strategy to this legislation; there are no timelines to indicate when persons with disabilities can expect to live in a barrier-free Ontario.

The advisory committees that will be established have no power to ensure compliance and enforcement; their only capacity will be to lobby, something that the community has been doing.

There is no funding allocated to improve accessibility.

There is no mandatory action required of municipalities, other than simply to develop plans, plans which need not be acted upon.

The only enforcement machinery that is available is the Ontario Human Rights Commission, something which we know is already very badly overextended.

And while the legislation says that it reforms the Social Housing Act to ensure any future social housing is fully accessible, we know that no social housing has been built in this province for five years now.

So representatives of the disability community, the David Lepofskys, the Gary Malkowskis, are left to won-

der, if there is so little in this legislation, what is improving. What is happening? I think the sad commentary is that not much is happening.

This is a day where the government wants to say that it is doing something. The reality is, when you look at their legislation, not much is happening at all.

M. Gilles Bisson (Timmins-Baie James) : Imaginez-vous qu'aujourd'hui, en 2001, on se plante ici à l'Assemblée législative de l'Ontario pour faire des remarques faisant affaire avec la Journée internationale des personnes handicapées. Moi, je me dis comme individu ontarien comment on n'a pas avancé le dossier, dans les 120 années que la province est ici, comme Assemblée législative. Pourquoi pas faire des modifications à la loi municipale pour un fait seulement, le moindre des moindres : dans n'importe quelle planification des nouveaux bâtiments dans la province, que chaque bâtiment soit bâti avec l'idée de faire accessibles ces bâtisses-là ? C'est quelque chose qu'on pourrait faire, c'est facile, ça se fait tout de suite et on pourrait avancer le dossier pour les personnes avec disabilities. Mais on ne le fait pas.

Mr Steve Gilchrist (Scarborough East) : On a point of order, Mr Speaker: I know it's never the intention of any member to mislead this House. However, I believe I heard Mr Duncan suggest that the hearings in Windsor today are taking place in a facility that is not disabled-accessible. In fact, the representative—

The Speaker: Order. The member take his seat. The member will know that he can't correct the record of somebody else. If there is a record that needs to be clarified, the member can do that.

Mr Duncan: On a point of order, Mr Speaker: It's a misinterpretation; I'm sure the member didn't mean to mischaracterize. The hearings in Windsor had to be moved late on Friday because it was determined on Friday afternoon that the venue that the hearings were supposed to be in was not in fact accessible. They moved them, effective today, to accommodate those persons who, it is my understanding, could not have been accommodated in the original facilities that had been chosen.

The Speaker: I am aware of the change of the venue. The Chair of the committee I'm sure will handle the circumstances as rightly as is his duty.

It is now time for oral questions.

Oh, I'm sorry: the member for Bramalea-Gore-Malton-Springdale.

VISITORS

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale) : I'd like to have the members of the House recognize students from Cardinal Leger high school in Brampton and their teacher, Trevor Hilton, who are in today along with many other students.

The Speaker (Hon Gary Carr) : I apologize. There is statements too. The member on a point of order?

Mr Gilles Bisson (Timmins-James Bay) : If we're going to start welcoming people, I'd like to welcome a number of citizens from northeastern Ontario who are

here today. They are worried about what's happening with the garbage situation and they are so opposed to the Adams mine project. Our good friends, Charlie, John and the rest, we welcome you to the—

The Speaker: Order. Let me say very quickly about the introductions that I have no problems with doing them. As I've said to some members, some days they're the nicest things we do here. I remember one day a young fellow up there in the gallery was so excited when he got introduced that there was a big smile on his face. I don't see problems with doing that as long as we don't get too carried away.

Some members I know have voiced concerns about that. I will leave it up to the House leaders and collectively the House to decide. I'm in your hands on that. The only thing I will suggest: if we start introducing people and then putting caveats of why they're here, it may become a little bit more partisan. That will defeat it, and then some members won't want to proceed like that.

Again, I will leave it in the hands of the House leader. For those members who have voiced some concern, different jurisdictions do it differently. For example, in the House in the United States, they actually call the guests down. They come up, they interrupt the proceedings and they welcome their honoured guests. I personally don't see a problem; as I mentioned, when I see a smile on the face of some of the young people when they get introduced, I don't see a problem with it. I will look for the guidance of the House leaders, as I often do in situations like this, on how they want to proceed with introductions and I will be guided by them.

I apologize; I went by ministers' statements.

STATEMENTS BY THE MINISTRY AND RESPONSES

BORDER SECURITY

Hon Robert W. Runciman (Minister of Economic Development and Trade) : I'd like to share with the House the update on border security issues. As members know, on November 2 Premier Harris and I hosted an industry leaders' round table on border issues.

Business leaders and governments are in agreement that we must find a way of maintaining the free flow of goods, services and people across our border with the United States while ensuring our security. Business leaders and the Ontario government came up with four key recommendations. They are: the establishment of a North American security perimeter—we believe that a security perimeter is key to ensuring both our safety and our economic prosperity; harmonization of border procedures between Canada and the United States; increasing the use of pre-clearance and identification procedures; and utilization of new and existing technological measures.

The recommendations of Ontario's round table report were reinforced today when the Coalition for Secure and

Trade-Efficient Borders released its second report. The coalition is calling for many of the same elements to be brought to bear as are suggested in the Ontario report: for example, increased use of technology and pre-clearance; improvements to immigration security; and investments in transportation infrastructure to facilitate the movement of goods and people.

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The two reports are sending the same message to Ottawa: the federal government must develop a comprehensive and integrated strategy that addresses the issues of security and border management, and they must do so in a way that will give Canadians and Americans confidence that border issues are being addressed head-on.

We sent our round-table recommendations to the federal government, but I felt the message needed to be delivered in person. Last Friday I met with Industry Minister Tobin and stressed to him how strongly Ontario's business community feels about these recommendations. I also participated in a federal-provincial conference call of trade ministers that same day.

In my meeting with Mr Tobin and during the conference call, I had the same message to deliver: listen to Ontario business about border security. A North American security perimeter is vital to our safety and our economy. All the provinces and territories expressed support for the perimeter concept, and it appears the federal government is listening.

Today we see the first concrete steps.

US Attorney General John Ashcroft is in Canada today to meet with four federal cabinet ministers to discuss security issues. His visit comes on the heels of a United States announcement that 600 American troops will be deployed to assist in border flow and security. It's clear the United States continues to have grave concerns about the possibility of terrorists entering their territory from Canada. The US action today underscores the importance of Canada moving quickly to introduce a perimeter approach to North American security.

Today's announcement includes an agreement to coordinate immigration measures between the two countries, and hopefully this will lead to the tightening of Canadian immigration rules called for by Premier Harris in his November 6 letter to Prime Minister Chrétien.

We will closely monitor the implementation of today's announcements and will be in constant touch with stakeholders in Ontario to assess the impact as these measures are put in place. We will continue to press the government of Canada to take all the steps necessary to ensure the security of Canadians, to ensure terrorists cannot enter Canada from third countries and to ensure everything possible is done to facilitate cross-border trade.

Security and the economy are completely linked. The jobs and the lives of Ontarians depend on quick and thorough action by the Canadian government.

I want to thank Industry Minister Tobin for his co-operation and support. Our industry leaders' round table called for co-operation between governments on these

critical security and economic issues, and with today's announcement it appears to be happening.

Mr Dwight Duncan (Windsor-St Clair): I'm pleased, on behalf of our caucus, to have the opportunity to respond to the minister and, first of all, to acknowledge that we are pleased with the tone of this statement, acknowledging the role of the federal government. We think it's extremely important that governments at all levels, municipal, provincial and federal, work together, and it is our view, frankly, that the rhetoric emanating from Ontario has not been helpful in these circumstances and during these debates.

Representing the largest dry port in this country, this issue has been of extreme importance to myself and my colleagues from Windsor West and Essex, as it is to all of us in this Legislature.

The federal government has had no less than five ministers down to our community to meet with business communities. The federal government has met quite independently of the province's initiative on an ongoing basis with key business representatives from across the country. The question of free flow of goods and the question of security at the border are now interwoven and must be dealt with together.

On the question of free flow of goods, I think all of us support it. There are some challenges with that issue. There are some challenges that have to be acknowledged with respect to our sovereignty and our ability to integrate not only our border, but how that impacts on some of our other laws. For instance, the Americans have very different gun laws from Canada. We don't allow handguns; they do. Like it or not, that's the way it is. There is a whole range of these kinds of issues that deal ultimately with our ability as a people to make laws for ourselves that reflect our national objectives.

Accordingly, as we move to a freer border, and I think we all agree to that, a number of the initiatives that have been proposed, and I say to the minister, these initiatives have been on the table for some time prior to September 11—for instance, the pre-clearance through customs on either side—took on a new urgency, admittedly, after the terrorist bombings. Those things do have to move forward, but in a manner that can accommodate our national differences, our national priorities and our national choices.

This province's trade is so dependent on the United States, we have no alternative but to make sure that border remains open. My leader, Dalton McGuinty, came to Windsor I think about a week and a half after September 11 and met with all of the business leaders. He has also met with leaders of the automotive industry and other trade-dependent industries to talk about the impact of these events on working families in this province. We recognize the need to make sure that border stays open to the free flow of goods.

It will be incumbent on the government of Ontario, in our view, to work co-operatively with the federal government at this time of war. We are in a state of war. Canadian troops are on their way to Afghanistan as we speak.

We are engaged in security measures. I should say to the minister, I had the opportunity to cross the border the other evening, and passenger vehicles are now moving across in about 15 minutes. It's still slower than it was prior to September 11, but the co-operation we've seen between Washington and Ottawa is an example of the co-operation we ought to have between Toronto and Ottawa.

Attorney General Ashcroft today praised the government of Canada for its efforts. The Dallas morning newspaper last week ran a lead editorial applauding the government for its response. I acknowledge that the government of Ontario has taken a proactive role. This is no time for lobbing cheap political shots. This is not a time when we ought to be debating, in what I would call a crude partisan fashion, issues that are at the very heart of our economic well-being and the security of the people of the United States and the security of the people of this province.

I would urge the minister, as I wrap up my remarks, that there are certain issues that the province of Ontario ought to look at very quickly.

Number one: the largest border crossing in this country is not directly linked to a provincial highway. It was the minister's government that downloaded that road to the municipality.

Number two: there is an urgent need for another border crossing, but more importantly from the province's perspective, an investment in capital to ensure that the goods and services that are crossing at that port can access our provincial highway system. Today they can't. The minister is in possession of the emergency response from the city of Windsor dated September 11, and he knows full well what this province ought to be doing to ensure—and this province can do alone—as he says, that our border stays open and free and the people in this province continue to have jobs to support their families.

Mr Howard Hampton (Kenora-Rainy River): I want to raise some questions about the statement made by the minister responsible today.

First of all, I want to talk about the trade issues, because it seems as if someone is trying to indicate that following September 11 there was this dramatic drop-off in trade. But all of the evidence points to the contrary.

I want to quote from the Financial Post article of November 21, where they look at the Statistics Canada figures, which are released monthly. The Statistics Canada figures for September show that within a week after the events of September 11, the actual amount of traded goods going across the border had returned to normal. In fact, they note that the only significant decline was a decline in energy exports. But energy exports do not move across customs inspections; energy exports move by way of natural gas and oil pipelines.

So I'm left to wonder: if the evidence that has been determined by Statistics Canada, which is also corroborated by studies on the United States side of this issue, in fact shows that there has not been a major disruption of trade, then what is the motivation here?

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If I may suggest, the motivation underlying this—and I think we should thank the United States ambassador, who has been very forthright on this issue. He said, "It's long been, in fact, the policy of the United States to ask Canada to integrate our immigration, our customs and our policing and security issues with theirs, even before September 11." But there is no evidence, in terms of the trade data, which would support this.

I wanted to ask another question about the so-called security side, because it seems to me that there are some issues here as well. I watched the US Attorney General, Mr Ashcroft, on television two nights ago. He indicated, for example, that the United States has over 9,000 customs officers and border security officers along the border with Mexico. On a border that is two and a half times larger, the border with Canada, they have only 500 customs officers. It seems that the United States has not regarded their border with Canada to be a problem. It seems they've not regarded it to be a problem at all.

If having more security officers along the border is a solution, it seems to me that Mr Ashcroft and this government should explain how, despite all of the border patrol officers and customs officers along the US border with Mexico, over one million illegal immigrants move from Mexico into the United States every year. You should explain how it is that Spanish-speaking people are now becoming the largest immigrant group, the largest ethnic group, in the United States. Something doesn't add up here.

Another question about security: we know that the United States has spent billions of dollars along the Mexican border, yet it doesn't seem to have added any security. The United States has spent tens of billions of dollars in the last 30 years on something called the war on drugs. One would think, with the incredible resources that have been devoted, and the tens of billions of dollars, that Americans should somehow be more secure from drugs. It hasn't happened.

I want to get directly to the question, the issue of trying to build a security perimeter around North America. I invite this government to actually listen to somebody who has been advising the United States. The gentleman's name is Robert Kaplan. He is an adviser to the US Special Forces. It's his advice to them that you cannot, in the modern world, build this kind of security barrier. He points out that the heart of the problem is rising inequality in the world. One part of the world lives in desperate poverty and people will do anything to escape that desperate poverty. People live in hopelessness and they live with a sense of injustice, so trying to establish security perimeters really doesn't answer the question. We have to address the issue of growing inequality in the world. We have to address the issue that over 50% of the people feel a great sense of injustice in this world. We have to do something about it.

ORAL QUESTIONS

SCHOOLTEACHERS

Mr Dalton McGuinty (Leader of the Opposition):

My first question today is for the Minister of Education. Minister, on your watch, the number of unqualified people teaching Ontario children has skyrocketed. According to the College of Teachers, we now have 1,300 people teaching in our schools who simply are not qualified to teach. That's 63% higher than last year, and 400% more than under the previous two governments. These people are teaching our kids, despite never having graduated from a faculty of education and notwithstanding the fact they have never been certified by the Ontario College of Teachers.

Madam Minister, I thought you were all in favour of higher standards for teachers. Why are you lowering the standard for teaching in Ontario?

Hon Janet Ecker (Minister of Education, Government House Leader): I find it interesting that the honourable member would like to support higher standards for teachers. I hope that means he will be supporting Bill 110, which sets out performance appraisal standards for teachers in the classroom. I hope very much that that setting of higher standards would be something the honourable member would support.

Secondly, as the honourable member should well know, the policy that provides school boards the flexibility to have people with other skills that they feel are appropriate in classrooms through the letter of permission process was the same process that was in place when the Liberal government was there, when the NDP government was there and when the Conservative government was there. I would certainly caution you on the use of numbers. That number fluctuates up and down, as it has under Liberal, NDP and Conservative governments.

Mr McGuinty: Madam Minister, your number, 1,300 letters of special permission issued this year, is 400% higher than the numbers ever used by the previous two governments. It used to be an emergency provision, where you brought in teachers as some desperate measure. The problem today is that you're driving teachers out of the profession. That's why you've got to bring in so many teachers.

In Toronto alone, you've got 1,000 people teaching who are not teachers; there are 138 in Ottawa, 123 in London, at least 70 in the north and 39 in Barrie. That means that somewhere around 30,000 Ontario students are at a distinct disadvantage because the people standing at the front of the class and teaching them day in and day out are not certified and are not qualified to teach as teachers. Madam Minister, I ask you again, why are you lowering the standard of teaching in Ontario classrooms?

Hon Mrs Ecker: First of all, no one has changed a standard. The letter of permission process is the same process that was in place for the last many, many years and many, many governments. There are actually more

people in teachers' college, more people graduating from teachers' college, because on this side of the House we recognized some years ago that the population was aging and that the demographic wave was going through the profession of teaching like it's going through nurses, doctors and politicians. We have increased the number of spaces in teachers' colleges to make sure there are more teachers available for our system—some 6,000 more teaching spots—and we still have more people who want to be teachers than we have spots for. It's a wonderful, positive statement about the teaching profession and how young people and people from other careers see teaching as a wonderful choice to make.

Mr McGuinty: There were 35% fewer applications in Ontario's faculties of education last year than the year before. You are driving teachers out of the profession and you are hardly extending a warm invitation to those who might be considering it as a profession.

Madam Minister, you won't do anything about these unqualified, uncertified people teaching Ontario children but the Ontario College of Teachers would like to do something, but they are powerless to do so. They're asking you for greater authority over these unqualified individuals and you won't give it to them. They say they need this "for reasons of accountability, standards of practice, ethical standards and misconduct rules." If you won't do anything to help regulate and control these unqualified, uncertified people who are teaching Ontario children, then why will you not at a minimum accede to the Ontario College of Teachers's request so they can put in place some measures of accountability and some standards for those people?

Hon Mrs Ecker: Again, there are more people applying to teachers' colleges. We are expanding—

Mr Gerard Kennedy (Parkdale-High Park): Not this year there aren't.

Hon Mrs Ecker: Yes, there are. I hear the honourable member, Mr Kennedy, who hasn't got the research right yet. I really wish he would. It would certainly help the debate on public education. It deserves better than the kind of research that has sometimes been demonstrated.

We are expanding the number of teachers' college spots. We still have more people applying than we have space for. That's why we're continuing to expand the number of teachers' college spots, to take advantage. We still have boards—for example, the Toronto board had more people applying for jobs than they could possibly hire. We're continuing to see qualified, interested people who have skills to offer.

If he wants to suggest that school boards are not living up to their obligations and responsibilities as employers, if he says he can't trust school boards to protect our kids, then he should say that, because that's what that question is saying, that he doesn't trust school boards to hire qualified people—

The Speaker (Hon Gary Carr): The minister's time is up.

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MINISTRY DOCUMENTS

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Solicitor General. You are the chief law enforcement officer of the province of Ontario. In that capacity you must be beyond reproach; you must inspire the confidence of Ontario families; you must be seen to have the utmost respect for the law. The Provincial Auditor says you did not respect his lawful request for information, a request he made pursuant to the Audit Act of Ontario. Given that you failed to respect the law in the past as a minister, how can we trust you to respect the law today as Ontario's chief law enforcement officer?

Hon David Turnbull (Solicitor General): To the Deputy Premier.

Interjections.

The Speaker (Hon Gary Carr): Order. The government can answer the question—whoever. Deputy Premier, sorry for the interruption.

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The question relates to the auditor's work with the Ministry of Transportation, not with the Ministry of the Solicitor General. In the work that was done by the auditor, the auditor's staff, as is normal, worked with the staff of the ministry, not the minister. That's normal; that's the way the procedure is normally followed. Then something unusual happened. The auditor's staff requested the release of cabinet documents. That is an unusual occurrence. The next thing that happened, which is absolutely appropriate, was that the ministry staff then took the matter to Cabinet Office. The secretary of cabinet and the Secretary of Management Board then met with the auditor.

Mr McGuinty: Minister, let me just remind you of the auditor's finding that he set out in his recent report. He says, "For the first time since being appointed Provincial Auditor, I have to report an instance where my office did not receive all the information and explanations we required." He specifically says this was contrary to section 10 of the Audit Act. He says, "The then senior management of the ministry hindered the audit process by not giving my staff full access to pertinent files, not providing all the information requested and deleting parts of pertinent documents that they provided." That is very specific.

This man sitting directly behind you is in breach of section 10 of the Audit Act of Ontario. How can he expect us now to have confidence in him in his new capacity as chief law enforcement officer of Ontario if at another time and in another capacity as a minister he did not show respect for the law then?

Hon Mr Flaherty: As I was indicating in my previous answer, which I didn't finish because of the time, what happened after the cabinet documents were requested by the auditor's office was that the ministry staff quite rightly referred that to the Cabinet Office, and the secretary of cabinet quite appropriately got involved. The secretary of

cabinet and the Secretary of Management Board then met with the auditor's office. There was no protocol for the release of cabinet documents in those circumstances, and there are conflicting issues here. There's the issue of the confidentiality of cabinet documents and the cabinet process, and there are the responsibilities the auditor has under the Audit Act. The good news is that a protocol was worked out to cover the entire government with the auditor, and that's significant progress.

Mr McGuinty: The only conflict here is between your version of events and the Provincial Auditor's version of events, and I'm with the Provincial Auditor.

There is not a single reference in the auditor's report to any cabinet documents. On the other hand, section 10 of the Audit Act is very clear, and I'll quote from it. It says, "Every ministry of the public service ... shall furnish the auditor with such information ... as the auditor from time to time requires, and the auditor shall be given access to all books, accounts, financial records" etc. There are no ifs, ands, buts or maybes. It says that they "shall" provide that specific information.

I ask you again, Mr Minister, in your new capacity, how is it that you expect us to have confidence in your new role today as chief law enforcement officer of Ontario if in another capacity as minister you refused at that time to respect the law?

Hon Mr Flaherty: First of all, the information was provided. The member should make that clear and acknowledge that, that the information requested by the auditor was in fact provided.

The second point—and I'm sure the Leader of the Opposition, as a lawyer, knows that there is a significant issue raised between the auditor's responsibilities under the Audit Act and the necessary confidentiality of the cabinet process. Those are competing demands. They had to be resolved. They were resolved through the secretary of cabinet and the Secretary of Management Board meeting with the auditor's office and working out a protocol to cover government. That's a desirable result. It's helpful to have the protocol in place. I'm sure that will assist not only Cabinet Office, but also Management Board and all ministries in dealing with the auditor and his important duties in the future.

HEALTH CARE

Mr Howard Hampton (Kenora-Rainy River): A question to the Deputy Premier: When Ontario citizens hear about your plans for private hospitals in Brampton, we wonder, when is the Conservative government going to start learning from your privatization mistakes? Siphoning off health care dollars for private, for-profit health care corporations is the problem we face, not the solution.

The Provincial Auditor slammed your government last week for proceeding with privatizations without making any case as to how the public was going to benefit. But despite Walkerton, despite the problems with food safety examination, your government continues down the road.

Before you make another mistake on privatization, Deputy Premier, will you say here and now that there will be no private hospitals in Ontario of any shape or form?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The announcement that the Minister of Health and Long-Term Care and I were privileged to make on Friday afternoon in Brampton dealt with the use of private capital in order to build hospitals sooner and to build more new hospitals in Ontario. Certainly it's the view of the government that that's in the best interest of the people of Ontario, who, after all, want the best. They want first-class health and hospital facilities.

We're very fortunate in this province to have significant pools of capital in the teachers' fund, in the OMERS fund, in private capital reserves. It seems to me an entirely sensible thing to do, for the public sector to partner with the private sector to get these facilities built earlier and to build more of them in the province.

Mr Hampton: Deputy Premier, what is almost tragic about this is that your governments, Conservative governments, have been down this road a couple of times before. In the early 1980s the Conservative government of the day got into a contract with Extendicare to build a chronic care hospital in Etobicoke. But then it leaked out that the cost of private financing and private building would mean that the cost to the public was \$3 million more. It cost \$3 million more for the private sector to build the hospital. After that became public, the Conservative government of the day quickly and quietly backed away from that kind of proposition.

So I have to ask you, do you have to repeat the same mistake again? Private building of hospitals, private operation of hospitals, have been proven time and time again to cost more. If you really believe that health care dollars should be used wisely, you won't do this. Stand up and say you're not going to, in effect, cost the people of Ontario more because the private sector will want to make a profit on the building of the hospital.

Hon Mr Flaherty: Private money can of course be used to build the hospital. The hospital would be publicly administered and would comply with the Canada Health Act. The RFP process would be followed, as always, to ensure the best proposal came forward and was accepted by the government. All of this is standard procedure.

Mr Hampton: What's not standard about it is that time and time again it's been shown that when the final bills are in, the public will be paying more. You keep saying you have no money for health care, yet you're going to try the same kind of boondoggle Conservative governments tried in the 1980s; that is, get the private sector to build the hospital, but then you have to figure in the profit level and the financing fees that they'll charge, and it comes out costing \$3 million or \$4 million more.

If you're short of health care dollars, how can you afford to spend the \$3 million or \$4 million more that the private sector will demand because they will want to make a profit on the building, on the leasing and on whatever other operations they pay for? It can't be both

ways. Either you're trying to save health care dollars or you're spending more, as I say you're doing now. How can you defend this when you know it's going to cost more money?

Hon Mr Flaherty: The leader of the third party was right when he advocated tax cuts in Ontario. He's wrong about this and he's out of touch with the people of Ontario.

David MacKinnon, the president and CEO of the Ontario Hospital Association, said on Friday, "This initiative is an example of an innovative partnership that will enhance quality health care services in this province."

Hilary Short, the vice-president of the OHA, said this, this weekend: "The OHA is very supportive of this innovative new partnership to build a new hospital. In light of very significant capital needs of hospitals, we need to find new and creative ways to rebuild the hospital system."

Interjection.

Hon Mr Flaherty: If we listen to the member from St Catharines, who's yelling at me right now, we'd know that the member for St Catharines would pull the crane down, down the street, that's building the new emergency ward at the Toronto Hospital, \$250 million, being built now through a bond issue. The member for St Catharines wants no more—

The Speaker (Hon Gary Carr): The Deputy Premier's time is up.

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DOMESTIC VIOLENCE LEGISLATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Attorney General. I want to ask the Attorney General about a woman named Stephanie Tesolin, a woman who knows all too well how this government fails to help women who are victims of violence. Mrs Tesolin's husband is serving a 30-day sentence for assaulting her and threatening to kill her, but the 30-day sentence is up soon. She wanted to make use of some sections of the Domestic Violence Protection Act, an act that your government passed 12 months ago that you said was absolutely urgent. But when she tried to make use of the sections, she was told that despite the fact that it was passed 12 months ago, your government hasn't proclaimed the act.

Can you tell us, Minister, how a piece of legislation that was urgently needed 12 months ago to protect women who were subject to violence hasn't been proclaimed in force by your government?

Hon David Young (Attorney General, minister responsible for native affairs): The act that my friend talks about is indeed an important act; it is indeed an act that will revolutionize, in many respects, the way that this very important matter is dealt with. But as the member knows, this isn't easy. If it was easy, undoubtedly the member, when he was in my position, when he was sitting around the cabinet table, would have taken these steps. For five years they did absolutely nothing.

Here's what we've done: we've brought in legislation that is generally viewed as being state of the art and ahead of its time. But in order to implement it, as he should know, we have to make sure that all the resources are available. So over the last little while, what we have done is we have worked with the judiciary, we have worked with crowns, we have worked with victims' groups, we have worked with the police, with a view to ensuring that the proper resources are there to assist individuals in need of this type of assistance when they need it. We must get it right the first time.

Mr Hampton: This was the government that 12 months ago told this Legislature and the people of Ontario that this bill was absolutely urgent and had to be passed right away. This is a government that used time allocation to force the bill through in record time because it was so urgently needed. This was a government that said that once this bill is proclaimed, abused women will be able to get emergency intervention orders any time of the day or night. Well, this woman, who is afraid for her life, tried to use your legislation and what did she find out? This legislation that was so urgent, that had to be rushed through the Legislature with limited debate, almost no debate, your government hasn't even proclaimed it yet.

What do you say, sir, to Mrs Tesolin and all the other women out there who have been beaten and abused and threatened with death, and you can't even proclaim legislation that you said was urgent 12 months ago?

Hon Mr Young: What I would say to the individual involved is that we have resources in place to assist them right now, resources that weren't there when the Liberals and the New Democrats were in power, in excess of 40 programs in fact in place, \$145 million spent every year by this government to assist victims each and every day.

As for this new legislation, that I believe the member opposite not only voted against but argued against day in and day out, as for that legislation that he opposed, that he attempted to delay, that he's now welcoming, that he's now asking us to expedite, even though he tried to stall it, I say to you that in other provinces it's taken up to 15 months to proclaim similar types of legislation, legislation that doesn't go nearly as far as our legislation does. If he looks across the country, if he looks at provinces that have different governments, governments that are New Democratic or Liberal, he will see that they've tried to do as much as we are doing and that it's taken them even longer.

WASTE DISPOSAL

Mr David Ramsay (Timiskaming-Cochrane): My question is to the Deputy Premier. I'd like to know why your government has reopened the Adams mine debate on the eve of Toronto city council's garbage vote, which is supposed to happen this week. The answer up here is that the Harris government is once again using the power of its government to basically enrich, in one last parting gift, the Premier's personal friends.

This is the same, as I call them, notorious nest of thieves up in North Bay that is not content with the taxpayer-financed golf tournaments and sweetheart land deals we've all seen. If you're a friend of the Premier, you get a good deal.

Interjection.

Mr Ramsay: No, they're waiting for the big payoff, the Adams mine. That's the multi-million dollar project that's going to pay off big for the Premier's friends, that's going to pay off very big for the Premier down the road.

Minister, the trouble with the Adams mine is that it's anti-environment. Unlike the Michigan contract that the city of Toronto wants to sign, the Adams mine is contrary to all the progressive diversion programs that Toronto wants to embark upon. Why have you waited until the very last moment to intervene in Toronto's garbage debate?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): There's an issue, of course, with respect to the garbage production in the city of Toronto, and not only in Toronto but in the areas surrounding Toronto and elsewhere in southern Ontario that produce a great deal of garbage.

It is up to the relevant municipalities, including the city of Toronto, to take decisions. Their elected officials will make decisions about how to dispose of their garbage. You know that the Keele Valley site will be closed. You know that commitment by this government is firm. You know there's some indication that the city of Toronto intends to move garbage down Highway 401, through populated areas, into Michigan. It is up to the city of Toronto to make that decision. It has raised concern from other municipal leaders: Mayor McCallion in Mississauga, Mayor DeCicco in London.

These are difficult issues, but they are for the municipalities to determine.

Mr Ramsay: Minister, if it's up to the city of Toronto, why is your Minister of Municipal Affairs right now asking for a six-month deferral of this vote? It's because your government wants to interfere with that municipal function. That's what's going on.

I ask myself, "What's the reason?" It just so happens that here we have the chief dump promoter in North Bay, a full-page ad, saying, "Mike Harris, do what you said you were going to do and put this money into our pockets." A few days later, here's a full-page ad, also from a dump promoter, saying, "Get on with it, Mike. We want this project." Why would this be coming? The day after this ad appears, Chris Hodgson comes in and says, "I'm going to step into the Toronto garbage debate." Lo and behold, he's doing that.

Over the last six years, this has been a consistent pattern of behaviour, that this government has steered the city of Toronto toward the Adams mine. Why? Because the Premier's friends potentially can benefit from millions and millions of dollars from this. Minister, it's obvious why the Premier wants this. But why is your

government, you and the Minister of Municipal Affairs, participating in this gross conflict of interest?

Hon Mr Flaherty: I understand the Minister of Municipal Affairs did not ask for six months, but that's another matter.

There are a number of regional and municipal governments throughout Ontario that will be considering waste disposal solutions in the very near future. This government lived up to its commitment to review Toronto's proposal to transport its solid waste, by truck, to Michigan, to ensure it meets all provincial regulatory requirements for protecting the environment. We did that. It remains a matter of substantial concern, however, to other municipalities. There are other municipalities around Toronto that are going to have to deal with this very serious issue of disposing of garbage over time.

It does seem that the minister responsible, and others, would view the role of the Smart Growth councils as being vital in looking at the overall issue of how we're going to deal with this important environmental issue over the next decade.

1500

GOVERNMENT PUBLICATION

Mrs Julia Munro (York North): My question is for the Chair of Management Board. This past week I received the latest edition of ON magazine entitled, "Building a Stronger Economy." Flipping through it while eating breakfast, I noticed there is quite a variety of information.

Interjections.

The Speaker (Hon Gary Carr): The Minister of Labour, it's your member. Please let her ask the question. Member for York North.

Mrs Munro: There is quite a lot of information about what this government is doing for the people of Ontario. For example, I was struck by the information it provided for people about how to start their own small business, tips on safe winter driving, information on how to keep our communities safe, fun and interesting winter holidays in Ontario and a parent survey on education.

The opposition parties have on numerous occasions called this same publication "partisan political advertising." When there is so much news coverage about what this government is doing and with so much attention to decisions made by this House, is this publication really necessary?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): ON magazine, which has just recently been issued, contains a number of very important information items for the public. In fact, the government wants to be able to convey to the people of Ontario many things, informational pieces about what the government is actually doing. According to a very recent survey done by the federal Liberal government, it was indicated that 14% of people thought they received enough information from the government and, therefore,

the vast majority believed they didn't receive enough information.

I will point out one thing. A number of the issues here were such tourism initiatives as, in the member from York North's riding, the Georgina Winter Carnival. Certainly it's a good promotion for events in Sutton. We have Winterlude in Ottawa and the Bon Soo in Sault Ste Marie. I'm sure some of the members in the opposition parties would like to see the government promoting such great tourism initiatives under our great tourism minister, Tim Hudak.

Mrs Munro: I appreciate the response from the Chair of Management Board. I think everyone will agree that a government has an obligation—

Interjections.

The Speaker: Order. It's getting loud in here. The member for St Catharines, please come to order.

Mrs Munro: —to communicate with its taxpayers. Certainly a government like this, which has undertaken so many important initiatives, is no exception.

I was not aware that so few people felt they received enough information about what their government is doing. In light of that, I find it appalling that the opposition would carry on to the extent it has. Based on this, and their resistance to these communications, I can only surmise that they are either (a) ignorant of the facts—

Interjections.

The Speaker: Order. Member for Windsor West, come to order, please. I just get up and say it and then somebody else starts up. Please come to order. You were talking right across the entire time. Please come to order. Sorry again, member for York North.

Mrs Munro: —or (b) are afraid of people having information so that they can make up their own minds

We all know that information does not come cheaply. The opposition has often told us that we are wasting money on advertising. Minister, can you tell me, do you feel that being accountable to the people of Ontario is worth the expense of government publication?

Hon Mr Tsubouchi: You'll be happy to know, and I'm sure the people in Ontario will be happy to know, that ON magazine, which informs people about education, health and a number of tourism issues, costs 25 cents to publish, send out and deliver. That's the whole cost. That's less than about half the cost of a postage stamp. On the other hand, we have here the federal government publication, which is called Services For You, which costs 32 cents per unit, which is 36% higher than the cost to the Ontario public.

We have the ability here to tell the public about our commitment to health care—

Interjections.

The Speaker: Order. A warning to everybody: the next one who shouts out, I'm going to pick you out. It's like a hockey game. You might not be the first one to do it, but now there's going to be somebody thrown out. It might not be the person who does it, but just be warned, if you do shout out, you might or might not be thrown out. Last warning to everyone.

Hon Mr Tsubouchi: I'm very pleased to say that with ON magazine we have the ability to inform the public about our commitment to health care, on which I have to say the federal government certainly doesn't live up to its commitments. I'm sad to say that back in 1974 the commitment was 50-50, the federal government and the province of Ontario. In 1994, it was 18%. Sadly today, it is 14%. Fourteen cents on every dollar by the federal government, where the province of Ontario pays 86 cents—

The Speaker: Order. The minister's time is up. New question.

SCHOOL CLOSURES

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. You've been forcing school boards to close schools now prematurely and unnecessarily at a rate that is double and triple the closures of previous governments. Your provincial school closing policy would put 100-plus schools up for closing this year in Ottawa, in St Catharines and right here in Toronto.

Minister, today in the gallery is June-Marie Herron from St Veronica's elementary school. So is Deborah Lucas from St Bernadette's. She's here with her kids Emily, Benjamin and Jacob. They represent hundreds who are here today to hold you directly responsible for the pending loss of their schools. You no doubt want to blame the school boards, as you had in the past, but these parents know better. Your policy is seriously flawed. It's a rigged process: the board who plays this can only lose, and it's a question of which parents and which children will lose.

Minister, will you today fix your school closing policy so it's not so brutally unfair? Are you prepared to sit down with the parents—

The Speaker (Hon Gary Carr): The member's time is up.

Hon Janet Ecker (Minister of Education, Government House Leader): One of the most difficult responsibilities for any school board is to try and allocate school space as populations shift from one neighbourhood to another neighbourhood. That's always been the responsibility of school boards. The rate of school closure was the same in the honourable member's government time in office as it is now with ours.

Secondly, it is not accurate and is highly misleading to go out and take a list of schools that boards are looking at and reviewing, and saying they're all slated for closure. If the honourable member was familiar with the process he would know that by law, school boards are required to talk to the community and to work with the community: "Are there alternatives? Are there better uses to make sure that we can have effective use of all of our school space?" Many times, when that happens, a school board decides, based on the community input, to make alternative decisions, and that is as the process should be.

If the honourable member is proposing that he wants Queen's Park to start making decisions about—

The Speaker: Order. The minister's time is up.

Mr Kennedy: Minister, 10 years before your government, an average of 30 schools closed. Last year there were 59 closed. The year before that, 73. That's not the same rate.

These parents and hundreds of others have examined your excuses and they want me to tell you that it's unacceptable. The experts say their smaller schools are better. They say that the savings are small or non-existent and they know that what you're doing is taking away parent choice despite the chattering of the people opposite. They know that the millions that you spent on ads and on phoney questionnaires could have kept their school open.

Real parents are right here, as they are in Niagara and in Ottawa. Their lives are about to go through con-tortions. Debra McNevin depends on grandparents to look after kids. Joanne Kular, with her kids here, Eric and Laura, depends on special programs that you are going to make them lose.

Minister, if you're so confident that you don't have a role in this, that it's not your provincial school closing policy, will you refer it to an independent body, say, to the deans of education? Will you at least sit down with these parents and explain why you're closing their school?

Hon Mrs Ecker: Let's be clear what the honourable member has just asked. You want to take elected trustees and say, "Step aside; you have no right to make the decision about what works for your community school," and give it to unelected university, ivory tower—God bless them—faculty of education deans. Let's be very clear that's what he's asking to do: to take deans of education—

Interjections.

The Speaker: Order.

Sorry. Not you, Minister.

Hon Mrs Ecker: I'm very respectful of the Speaker.

The Speaker: I know, it's confusing when you do that. Sorry, Minister. I didn't mean to scare you.

Hon Mrs Ecker: The honourable member is quite obviously not familiar with the process that school boards are required to go through: to consult the school community, to consult parents. First of all, about the honourable member's factual information: there were not 73 schools closed in 2000. There were not 59 schools closed in 2001. Again, he's putting out facts trying to scare communities. It's a very difficult process. That's why—

The Speaker: Order. I'm afraid the minister's time is up.

1510

GOVERNMENT SERVICES

Mr Doug Galt (Northumberland): My question is directed to the Minister of Transportation. I bring for-

ward concerns from the important and highly competitive trucking industry. These concerns relate directly to the administrative process associated with the international registration plan. Minister, for some people in my riding, the amount of time and distance required to get a truck registered can be very, very impractical. In this respect, businesses in large urban areas have an unfair advantage over their rural counterparts. This issue of access to services was emphasized to me when I chaired the Premier's Task Force on Rural Economic Renewal. Minister, what actions have you taken to improve customer service, and is it possible to expand the number of service delivery points?

Hon Brad Clark (Minister of Transportation): I want to thank my colleague for the question. My ministry is committed to ensuring that the Ontario trucking industry remains competitive in the North American marketplace. Membership in the international registration plan supports Ontario's transportation industry and our economy as a whole.

The original interjurisdictional carrier registration network consisted of seven offices. Since implementation of IRP, my ministry has expanded this network to 13 offices, opening new ones in several municipalities across the province. The Ontario trucking industry was consulted and provided valuable assistance in selecting these new locations.

In addition to over-the-counter service, MTO registers Ontario IRP carriers through fax, mail and courier delivery. We've also developed new innovations to ensure a quicker registration process. Of course, my ministry will continue to look for ways to improve this service.

Mr Galt: Thank you for the response. Minister, we're living in an age of dramatic technological advances, including interactive Web sites, videoconferencing and instant financial transactions. Many time-consuming tasks have been simplified and made user-friendly. Under this government, you can now register a business within 20 minutes or less, as opposed to 20 days in years past, and you can now renew your vehicle licence plate conveniently at kiosks located in malls and government buildings across the province. The process of international-registration-plan registration appears to be a simple information transaction. Is it not possible to provide this service via a secure Internet site or through existing government kiosks and service desks?

Hon Mr Clark: Thank you again to my colleague for the question. Registering a vehicle for travel within Ontario is relatively simple. However, it is naturally more complicated to register a commercial vehicle for travel to other provinces and the continental US.

During my ministry's transition to IRP, 12,000 applications, totalling 60,000 vehicles, were processed. IRP is designed as a one-stop shopping program for registration in all member jurisdictions, so carriers must satisfy the information needs of up to 59 jurisdictions, instead of just Ontario. So you can appreciate that, as a result, IRP applications need to be processed by specifically trained staff using software designed specifically to capture the

necessary information. We are looking into new ways of providing an electronic processing feature for IRP, and I'm looking forward to examining these possibilities in the near future.

MINISTRY DOCUMENTS

Mr Peter Kormos (Niagara Centre): To the Deputy Premier: there's nothing ambiguous about section 10 of the Audit Act, and there's no ambiguity in the report of the Provincial Auditor. The Provincial Auditor didn't report back on establishing a new protocol about accessing certain types of documents. The Provincial Auditor complained of an unprecedented obstruction of the performance by him of his duty. That obstruction consisted of a clear breach of section 10 of the Audit Act, as well as the alteration of documents and the contents of those documents.

I say to the Deputy Premier, the then Minister of Transportation is now the Solicitor General. Do you think it's appropriate for a minister of your government to engage in scofflaw, as was demonstrated here, and the possible breach of Criminal Code, and is it similarly appropriate that that minister now be the Solicitor General?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): It should be noted that the government did indeed provide the auditor with all of the necessary information that he required to conduct his audit, including the confidential cabinet documents. The staff of the ministry was working with the auditor. An issue arose at the request of the auditor for the production of certain cabinet documents. Quite correctly, the ministry staff referred that to the secretary of cabinet, to the cabinet office. The secretary of cabinet and the Secretary of Management Board then met with the auditor's office. They developed a protocol together that would permit the government to provide those confidential documents to the auditor's office. As I say, the government provided the auditor with all the necessary information that he required.

Mr Kormos: Well, Deputy Premier, your line today doesn't jive with what was in the Provincial Auditor's report. The Provincial Auditor complained of an unprecedented obstruction of his work. You should understand, Minister, that making a material alteration in a document by erasure, obliteration, removal or any other way constitutes the criminal offence of forgery. The Provincial Auditor indicated clearly that he received documents from the then Minister of Transportation, now Solicitor General, that were materially altered. The purpose of the alteration was clearly for no other reason than to protect the government in a way that it finally wasn't able to protect itself when the auditor finally had access to all of the information.

I say to the Deputy Premier that we, as you know, have asked the Ontario Provincial Police to conduct an investigation of this matter. Why is it appropriate for your Solicitor General to remain in his position when he

is the subject matter of a contemplation of an investigation by our Ontario Provincial Police?

Hon Mr Flaherty: As I indicated to the member opposite, a protocol has been agreed on with respect to the production of these types of documents. There is also a long-established protocol in place that allegations of misconduct that have been raised are referred to the assistant Deputy Attorney General for his review.

The Speaker (Hon Gary Carr): New question. The member for Scarborough-Agincourt.

Mr Gerry Phillips (Scarborough-Agincourt): To the Deputy Premier on the same matter, I just talked to the Provincial Auditor, who tells me that the documents he requested are documents that in his opinion are documents prepared in the normal course of events, documents that are prepared in any ministry to do business, not confidential cabinet documents, and that those are documents that his auditors have always had available. Minister, why would you be telling the Legislature that these documents were secret cabinet documents when according to the Provincial Auditor they're simply documents prepared in the normal course of events?

Hon Mr Flaherty: I'm advised that the documents requested by the auditor's staff in undertaking their work were cabinet documents.

Mr Phillips: I would like to know how you personally have been involved in the background analysis of this. To us, a decision like this would be one that appears to have been made with the involvement of the cabinet minister involved, a major decision like this. Have you personally assured yourself, Deputy, that the documents the auditor requested—because according to him, these were simply documents that would be prepared in any ministry for any normal business case, documents always provided to the auditor. Have you personally had an opportunity to review this and determine, first, whether the minister himself was involved in discussions with staff about the decision, and second, have you assured yourself that in fact the documents requested by the auditor were confidential cabinet documents?

Hon Mr Flaherty: I have not investigated this matter or assured myself with respect to those matters. That's not my role. What I do rely on is the information given to me through Cabinet Office and through Management Board that this was the process followed. I have no reason to believe that the information given to me with respect to process is anything but accurate, and that is, certain documents were requested, there was a meeting that took place between the auditor's office and the Secretary of Management Board and the secretary of cabinet, and that a protocol which heretofore had not been in place was put into place. The documents were then produced. The auditor got the information he wanted and was able to comment on the subject matter with which he was concerned.

FOOD SAFETY

The Speaker (Hon Gary Carr): New question. Member for Perth-Middlesex.

Mr Bert Johnson (Perth-Middlesex): Mr Speaker, I'm sure you'll get us on schedule again on the rotation.

My question is for the Minister of Agriculture, Food and Rural Affairs. As society moves more from subsistence, where each person grows their own food, to survival, where very few people produce the food for everyone—that's the context I want to put my question in. Last week, the Provincial Auditor reported some concerns about the safety of our food, especially meat, fruits and vegetables. Can you tell me what your ministry is doing to ensure food safety for Ontario consumers?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Actually, our government and my ministry are working on many fronts to ensure the safety of food for our consumers. We're continually strengthening the province's food safety system by updating standards and inspection programs and using new science, taking advantage of new technologies to minimize public health and the economic risk.

When the audit of my ministry's food industry division was being conducted by the Provincial Auditor, we were already well underway in reviewing our food safety system in preparation for new legislation. In fact, when Bill 87, the proposed Food Safety and Quality Act, is passed, we'll be better equipped than ever to provide a science-based, field-to-fork food safety system.

I can assure consumers that all of the recommendations in the Provincial Auditor's report have been accepted and many have already been acted on by our ministry. But we also work closely with our industry partners—

The Speaker: The minister's time is up.

1520

Mr Johnson: Minister, I'm pleased to hear your assurances for consumers and that the industry is working with you to ensure food safety. I have an article here from the local Listowel paper that makes note of Mary MacIntosh and Russ Danbrook and the grant they received from the healthy futures program for their environmental farm plans. Of course, it mentions that in the county that I live in, Perth, the peer review committee has approved over 1,000 farm environmental plans in that area. Can you tell me what other kinds of industry projects are supported through the healthy futures for Ontario agriculture program?

Hon Mr Coburn: There are a number of excellent projects that we have partnered with in the healthy futures program. For example, a project called The Cutting Edge involves a thorough technical analysis of leading-edge beef cutting and tracing technology around the world and the development of a comprehensive plan for best adapting it to the unique needs of the meat processors here in Ontario.

Another project will ensure the development and implementation of a hazard analysis and critical control point, more commonly known as HACCP. This is a qual-

ity assurance program for all of the chicken farms in the province.

There is a second HACCP-based quality assurance program for 6,300 dairy farmers right across the province as well, and yet another HACCP-based project at the Ontario Food Terminal.

The healthy futures project for the pork sector includes enhancing competitiveness in five distinctive areas: assured food safety and quality, livestock identity preservation, international marketing and competitiveness, industry co-operation and development, and electronic supply chain coordination.

MINISTRY DOCUMENTS

Mr Dalton McGuinty (Leader of the Opposition):

A question to the Deputy Premier. I want to return to the very serious matter raised by the Provincial Auditor and specifically his assertion on page 2, right at the front of his auditor's report released last week, that section 10 of the Audit Act was breached, and was breached for the first time since he was appointed Provincial Auditor some nine years ago. This is a man who has completed dozens of audits and of course who has since produced nine annual reports.

Minister, I'm trying to ascertain now precisely your understanding of why it is that information was held back from the Provincial Auditor. First you told us that these were cabinet documents and hence protected by confidentiality, but we now have learned directly from the Provincial Auditor himself that the documents he was seeking at no time were cabinet documents and that they were documents that were provided in the normal course of events.

Can you now tell us specifically what kinds of documents you believe were held back and why it is that they were held back from the Provincial Auditor?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): As I told the honourable member some 30 or 40 minutes ago now, the auditor's office was working with the ministry's staff in the normal course of their audit. The minister's office was not involved; the ministry staff were involved. That, again, is the normal process. In the audit relationship in Ontario, as I understand it, the auditor's staff requested certain documents in the nature of cabinet documents. That was an issue, then, that was raised by ministry staff with the secretary of cabinet's office—with Cabinet Office. That was, again, appropriate; the procedure followed was to refer the issue to the Cabinet Office. Cabinet Office and Management Board responded promptly to the specific request of the auditor and developed a government-wide protocol for the release of cabinet documents.

Mr McGuinty: I can understand why the Deputy Premier now would be shifting his answer. At first it was a matter specifically of cabinet documents. Now, apparently, that is not in fact the case, given the assertions just given to us by the Provincial Auditor. Now the Deputy Premier is trying to place the responsibility with staff.

I believe there's something called ministerial accountability, and I believe that the minister's responsibility is to acquiesce to any invitation, any request made by the Provincial Auditor when it comes to providing information in the normal course of events.

Will you now admit, Deputy Premier, that the facts are as specifically stated by the Provincial Auditor in his report and as he has just added to those through his telephone conversations with us today? And the facts are that there were no cabinet documents involved here. These were documents that should have been provided in the usual course of business. The fact is that the minister, who is accountable for the activities of anybody within his ministry, failed to live up to his responsibilities under the Audit Act and to provide all information that he should have provided to the Provincial Auditor, who was conducting an audit.

Hon Mr Flaherty: As I indicated previously to the member opposite, the secretary of cabinet and the secretary of Management Board met with the auditor to resolve the issues and define a mechanism to provide him with the information that he required to fulfill his responsibilities under the Audit Act. Again, there are the competing requirements of the auditor's obligations, his responsibilities under the Audit Act in Ontario, and the obligations with respect to confidentiality, which are the responsibilities of the secretary of cabinet and the secretary of Management Board. What they were able to accomplish was to draft a protocol and agree to a protocol for the release of the documents.

I repeat to the member opposite that the government provided the auditor with all of the necessary information that he required to conduct his audit, including confidential cabinet documents.

NANTICOKE GENERATING STATION

Mr Toby Barrett (Haldimand-Norfolk-Brant): My question is to the Minister of Energy, Science and Technology. Minister, just last week you were down in my riding and visited our Nanticoke generating station. At the station you announced the installation of selective catalytic reduction units, certainly great news for our area. It would create jobs, of course, but more important, the installation of this kind of equipment is great news for the environment.

Despite this fact, there are critics. They continue to raise concerns that the plant should be converted to natural gas. Minister, could you please explain to my constituents and others elsewhere in the province why the Nanticoke coal-fired generating station should not be converted to natural gas?

Hon Jim Wilson (Minister of Energy, Science and Technology): While it may be a noble goal to convert our four coal stations to natural gas, I remind people that's certainly not the trend around the world. There are 205 United States coal plants within our Ontario-US airshed. Currently they're building more coal plants, as are Alberta and other provinces in Canada, and many of

these new plants don't have the new technology or the \$250-million investment that we've made on the Nanticoke plant and the Lambton plant.

Also, the Clean Air Alliance says this can happen overnight. You've got to ask Jack Gibbons, "Where are you going to get the gas?" Our four coal plants would take all of the natural gas available today in Ontario, plus we'd have to double the pipeline either from the west or the east. The tripling of natural gas prices you saw last year and earlier this year—you ain't seen nothing yet. We would take all the gas so that Mrs Jones, my mother, my household wouldn't have any available gas. We'd have to double the pipelines in Canada. You would do more environmental damage doing that alone, keeping in mind that Nanticoke and our four stations are responsible for less than 10% of the smog problem in this province.

Mr Barrett: Thank you, Minister. We certainly all realize this \$250 million is a very significant investment, an investment by Ontario Power Generation. Could you now explain how the selective catalytic reduction units will help the environment while improving air quality in my area and improving air quality across the province?

Hon Mr Wilson: The selective catalytic units will reduce some 12,000 tonnes of toxic emissions. That's the equivalent of taking 6,000 cars off the road. It will remove some 80% of the nitrogen oxides and will make a significant improvement to air quality.

Again, the point is, to convert these plants would take all of the natural gas and more that's available in Ontario today, so there would be none left to heat those over two million homes and small businesses that need it, for our hospitals, for our small businesses and our large businesses, our steel factories etc. The price of gas would at least quadruple, if not go up six or eight times, plus you'd have to build new pipelines across this country or from the United States to get more gas in here. It doesn't make sense.

The route we're taking has been applauded by many environmental groups. Our new standards at Nanticoke and our other plants are now higher than those in the United States by the EPA, and the commitment of this government is to meet or exceed anything the US may come out with in the future. Right now we're North American leaders.

1530

WASTE DISPOSAL

Mr Gilles Bisson (Timmins-James Bay): My question is to the Deputy Premier and it's in regard to the Adams mine project once again. You would know that Gordon McGuinty, the proponent of the Adams mine project, is out there trying to revive that project once again, and it would appear that he has found himself a champion at your cabinet table—none other than Chris Hodgson, the Minister of Municipal Affairs himself.

Why we're saying that is that it's fairly clear by the actions of Mr Hodgson that he and Mr McGuinty are somewhat connected. We know that Mr McGuinty is out

there saying he wants the city of Toronto to delay by six months their decision to extend the contract for transportation of waste to Michigan. We've now got the Minister of Municipal Affairs out there saying he wants to have the same six-month delay. We know that Mr McGuinty is saying that he is developing language saying this is a made-in-Ontario solution. All of a sudden we hear the same buzzwords coming out of the minister's mouth.

I'm asking you this question: Deputy Premier, will you today make a very clear statement on behalf of your government that you will not take part in trying to revive the Adams mine project once again?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The decisions with respect to garbage and the disposition of garbage remain with the municipalities. It is a matter for them to decide. In the future we do anticipate that the Smart Growth councils will be of significant assistance to all of the people in Ontario in taking a broad view on a regional basis, because the Smart Growth councils will be regionally based, with respect to how we address this very important issue, not just with respect to the city of Toronto but with respect to the 905 areas and other areas of the province.

This is a major environmental challenge, I'm sure the member opposite would agree, for all of us in Ontario. It is up to the municipalities to come to a decision. They have to comply of course with provincial regulations. I understand the city of Toronto has done that, but in the future I certainly hope that our Smart Growth councils would address this important environmental issue.

Mr Bisson: We could debate your Smart Growth; it's more like dumb growth when you look at the policy. But the issue is a very simple one. I'm asking you today to stand in this Legislature and categorically say that your government is not going to be moving to try to be the proponent of the Adams mine project. I'll put it to you again. It's really simple. Will you stand up today on behalf of the government of Ontario and tell us and tell northerners who are here today in the gallery that your government will not take part in a strategy that will see the revival of the Adams mine project once again?

Hon Mr Flaherty: The province is not in a position to tell the city of Toronto what it should or should not do. The city of Toronto has the jurisdiction to make its own decision with respect to the disposition of its waste. I hope that the city of Toronto would take into consideration the views of the mayor of Mississauga, of the mayor of London, of other people around the province, with respect to the disposition of its waste.

Similarly, I hope that the 905 areas and the other areas of the province with significant challenges in terms of disposition of waste would take into consideration the views of other people in the province of Ontario, but at the end of the day this is a municipal issue to be resolved by the municipalities, subject of course to ensuring that their steps meet all regulatory requirements for protecting the environment. That has been reviewed in terms of the city of Toronto proposal to truck waste to Michigan and they've complied.

PETITIONS

HIGHWAY IMPROVEMENTS

Mr Michael Gravelle (Thunder Bay-Superior North): "To the Legislative Assembly of Ontario:

"Whereas traffic volume has increased dramatically on Highway 11-17 between Thunder Bay and Nipigon over the past 15 years; and

"Whereas the sections of Highway 11 between Nipigon and Longlac, Highway 584 to Nakina, Highway 17 between Nipigon and Marathon and Highway 527 to Armstrong would benefit from a safety point of view from fully paved shoulders; and

"Whereas the Minister of Transportation has recommended that any major transportation infrastructure improvements on these stretches of the provincial highway should focus on high-volume areas and enhanced safety features;

"Therefore, we, the undersigned citizens of Ontario and residents of northwestern Ontario, petition the Legislative Assembly of Ontario to provide funding support to:

"(1) Twin the highway between Thunder Bay and Pass Lake as a first priority with the stated goal of eventually completing the twinning all the way to Nipigon;

"(2) Commit to fully paving the shoulders of Highway 17 from Nipigon east to Marathon, Highway 11 from Nipigon east to Longlac, Highway 584 from Geraldton to Nakina, Highway 527 from the Thunder Bay Expressway to Armstrong;

"(3) Commit to a serious re-evaluation from a design point of view of dangerous portions of the highway that have seen a higher proportion of accidents over the years."

This comes to me from June Huston in Pass Lake, who has worked very hard to get these out. I'm very happy to add my name to this petition.

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): I have a petition to the Ontario Legislature.

"Whereas Health Canada approved Visudyne on June 1, 2000, as therapy for the treatment of wet form age-related macular degeneration. However OHIP does not yet pay for the procedure and it has not been added to the Ontario drug plan formulary;

"Whereas the provinces of Quebec, British Columbia, Alberta, Saskatchewan and Nova Scotia have already added Visudyne to their provincial drug plans;

"Whereas clinical trials have demonstrated that this treatment safely and effectively stabilizes vision loss in 67% of patients and improves visual acuity in 13% of patients;

"Whereas patients requiring therapy using Visudyne face a cost of \$1,750 for the drug and \$750 for the clinician procedural fees each time therapy is administered, and to complete a full therapy cycle, a patient

would be required to pay \$15,000 to preserve his or her sight; and

"Whereas the Ministry of Health was to make a decision on Visudyne treatment at the end of February 2001;

"Let it be resolved that the Ministry of Health immediately approve and add Visudyne treatments to the Ontario drug plan formulary to assist those suffering with macular degeneration."

I affix my signature. I'm in complete agreement with the sentiments expressed in this petition.

EDUCATION FUNDING

Mr Doug Galt (Northumberland): I have a petition here from the Hastings and Prince Edward District School Board expressing concern about the student-focused funding. They're asking for additional funding. In particular, their concern has to do with declining enrolments and the difficulties that boards have with declining enrolments. I respectfully submit this petition.

NURSES

Mr Alvin Curling (Scarborough-Rouge River): I have a petition here that is supported by all the members of Scarborough-Rouge River. It reads:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario;

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I'm going to affix my signature on this, with all the people of Scarborough-Rouge River, in support of this.

AUDIOLOGY SERVICES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I have another 1,000 names to add to the audiology petition from the following communities, who have asked me to present on their behalf: Caledonia, Hagersville, Mount Hope, Ancaster, Hamilton, Grimsby,

Dundas, Sutton, Nobleton, Mount Albert, Bradford, Oakville, St Catharines, Brougham, Brampton, Barrie, Pickering, Uxbridge, Thornhill, Oakville, Holland Landing, Keswick, Caledon East, Georgetown, Little Britain, Lindsay, Belleville, Fenelon Falls, Cobocok—I don't know where that is; I'm going to look that up, though—Oshawa, Cameron, Oakwood, Woodville, Reaboro, Colborne, Drayton, Listowel, Fordwich, Hanover and Moorefield. The petition from these communities reads as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total; and

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions; and

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario; and

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario; and

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

May those who have ears to hear, hear.

1540

LONDON HEALTH SCIENCES CENTRE

Mr Pat Hoy (Chatham-Kent Essex): I have a petition presented to me by Mike Wells. There are over 1,300 names on this petition.

"To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the

health and safety of people throughout southwestern Ontario are not put at risk."

I too have signed this petition.

PROFESSIONAL LEARNING

Mr Doug Galt (Northumberland): This petition comes from the Ontario English Catholic Teachers' Association. Signatures here are from my riding, Durham, Peterborough and also from Prince Edward-Hastings. Basically they're concerned with the teacher testing program. They oppose what the government is passing. What they're asking is that:

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability in Education Act, 2001."

I respectfully submit this petition.

HOME CARE

Mr John Gerretsen (Kingston and the Islands): I have a petition here signed by a number of people in my riding of Kingston and the Islands. It states as follows:

"We, the undersigned, request a withdrawal of Bill 130, the Community Care Access Corporations Act, 2001, introduced by the associate minister of health with responsibilities for long-term care, the Honourable Helen Johns;

"Bill 130 will eliminate community volunteer membership in local access centres, fire the CEOs, fire the volunteer officers and members of the boards of directors. The cabinet will appoint a CEO, the directors and the officers of the local access centres, who will be paid by the taxpayers as they are no longer volunteers;

"We urge the government to withdraw Bill 130, initiate public consultations with the stakeholders that are transparent and accessible and to review the issues of the current delivery of home care and options to improve the current system."

This has been signed by a number of people, and I have signed it as well.

SOCIAL AUDIT

Mr Michael Gravelle (Thunder Bay-Superior North): To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government has undertaken a massive reform of the way social service programs are managed and delivered in this province; and

"Whereas the government's language, actions and policies over the last six years have reinforced the worst kind of stereotypes about people on social assistance without offering Ontarians any proof that the policies they've put in place are meeting the needs of those whose circumstances have forced them to seek temporary assistance from Ontario's social safety net; and

"Whereas this government when challenged on how well their Ontario Works programs are working, point to

welfare caseload numbers as their one and only measurement of success or failure; and

"Whereas a social audit would determine how this government's policies are impacting on low-income children and families and allow for enhancements to improve the well-being, employability and economic security of individuals and families in need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to demand that the government of Ontario conduct a social audit of its Ontario Works program."

I am pleased to sign my name to this petition.

EDUCATION FUNDING

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing the potential closure of neighbourhood schools such as Consolidated, Dalewood, Lakebreeze, Maplewood and Victoria in the city of St Catharines, and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature; I'm in complete agreement with this petition.

CHILDREN'S MEDICAL SERVICES

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislature of Ontario:

"Whereas the recent events at the London Health Sciences Centre, where 18 programs have been lost due to funding shortages, and in particular the Children's Hospital of Western Ontario, cause us to be concerned that we may lose medical and surgical subspecialty pediatric services for ourselves and our children;

"Whereas southwestern Ontario is a vital region of the province of Ontario that requires urgent access to pediatric subspecialty services, and to travel to other children's health facilities in Ontario would result in serious personal hardship and risk to our children ...;

"Whereas we have greatly benefited from the expertise and pediatric care provided by Children's Hospital of Western Ontario over the years and we appreciate that we may not be apprised of all the reasons for these physician losses, however, our children deserve to continue to receive the pediatric subspecialty care from the London Health Sciences Centre and Children's Hospital of Western Ontario that our region has depended on for decades;

"Whereas the loss of these services will result in **great hardship to the families** and seriously endanger the health of our children, we look to you as leaders to address this issue immediately and thoroughly. These times of great uncertainty about children's access to health care are a significant stress to ourselves and our families;

"Therefore we, the undersigned, petition the Legislature of Ontario to demand that our government respond immediately to restore these critical services to the citizens of southwestern Ontario."

I have signed this petition.

HIGHWAY SIGNS

Mr Michael Gravelle (Thunder Bay-Superior North): "To the Legislative Assembly of Ontario:

"Whereas the Mike Harris government has been spending thousands of taxpayers' dollars on a provincial sign campaign accompanying highway construction sites, which read, 'Your Ontario tax dollars at work,' signed Premier Mike Harris;

"Whereas these signs serve no particular purpose except to promote the image of the Premier at taxpayers' expense;

"Whereas this kind of public relations exercise is a completely inappropriate waste of taxpayers' dollars and certainly is not a wise use of our tax dollars at work;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to demand that the Ministry of Transportation immediately remove all of these partisan highway signs from provincial highway construction sites across the province of Ontario.

"Furthermore, we petition the Ontario Legislature to pass Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to prohibit partisan highway signs, which, if passed, would prevent the Ministry of Transportation from issuing to the crown any permit to display a sign which contains the name or image of a member of the provincial cabinet or a member of the Legislative Assembly or a partisan message."

This is a very important petition. I'm very pleased to sign my name to this petition.

1550

ORDERS OF THE DAY

TIME ALLOCATION

Hon R. Gary Stewart (Minister without Portfolio): Mr Speaker, government notice of motion number 101.

Mr Peter Kormos (Niagara Centre): Mr Speaker, on a point of order: I will be making submissions and asking the Speaker to rule this motion out of order. It's my submission that this is the appropriate time to make that submission to you, the order having been called but before it's in fact moved, but notwithstanding that, it having been recorded in the documents before the assembly today.

The Deputy Speaker (Mr David Christopherson): Your point of order in terms of raising it now is in order. Please proceed.

Mr Kormos: There are two fundamental issues: one, the motion is so internally contradictory that it nullifies itself; secondly, and this is the reference to the standing orders, throughout my submissions I submit there should be persistent reference to standing order 1(b), in particular, the rights of members to debate, speak to and vote on motions, resolutions and bills.

Look, we know that the mere fact a matter is time allocated is in and of itself not sufficient to move it out of order; we have standing order 46. But here we have a time allocation motion which is literally unprecedented in this chamber, and the terms of that time allocation motion especially—and I refer the Speaker particularly to paragraphs 3 and 4 of that time allocation motion, and that is the committee process. These provisions, in my submission, have never been seen before in this chamber and may directly impact not only the right to debate—because, of course, time allocation motions do that; we understand that—but may impact directly on the right to vote, if I may explain why very briefly.

The fourth paragraph reads, "That, at 10 am on the day the committee is scheduled for clause-by-clause consideration"—that's one day only—"those amendments which have not yet been moved shall be deemed to have been moved." This isn't the historical or classic provision where at a certain time on that day of clause-by-clause any outstanding motions shall be deemed to be moved, let's say at 4 or 4:30 in the afternoon and the committee started at 3:30, but "That, at 10 am on the day the committee is scheduled for clause-by-clause consideration, those amendments which have not yet been moved shall be deemed to have been moved, and"—and this is more significant—"the Chair of the committee shall interrupt the proceedings"—well, there's no real need to, you see, because the proceedings have only just started; there are no proceedings because the committee starts at 10, so it's not a matter of interrupting the proceedings, to wit, debate on a motion or debate on clause-by-clause

consideration—"and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill." So no debate is permitted on any clause or amendment at the committee stage, in contrast to the historical position where there has been a limitation of debate. This is an absolute denial of debate. But there's more.

All members of the committee will be prevented from voting on all 27 sections of the bill and any amendments put forward. How that happens is perhaps an effort on the part of the drafters of the motion to be clever, but it's where they in fact have violated significantly section 1(b) of the standing orders, because 1(b) of course tells us that a member's right to vote is fundamental. There's more.

Since only 90 minutes is allocated for voting on clause-by-clause consideration of the bill—and take a look at Bill 122 and the number of sections we have here—there will in all likelihood be an inability to even vote on all sections of the bill, because the time allocation motion has put a cap, 10 am to 11:30 am, and at 11:30 that committee dissolves, that committee becomes functus. So there won't even be time to vote on each and every section of Bill 122 as it stands.

Furthermore, since, as is the practice in time allocation motions, the bill will have been deemed passed by the committee in the event the Chair fails to report back on December 6—that's only two hours after the committee is scheduled to adjourn, 11:30 am to 1:30 in the afternoon—it's my submission to you that it's physically impossible to have a completed bill prepared, purporting to have gone through the committee process in time to table it, but in fact this deems it to have been tabled, regardless of whatever form it is in. That's strange because it goes into a dark hole as a result of the convoluted committee process, because the motion also deems this: "The bill shall be deemed to have been passed by the committee, including any amendments that have been adopted by the committee."

This is where it goes directly to 1(b). The time allocation motion says that even though committee members may not have had an opportunity to vote on each and every section of the bill or, furthermore, amendments, they will be deemed to have voted, and not only deemed to have voted; deemed to have voted in favour. This is as thorough and complete a violation or contradiction of 1(b) as could ever be contemplated. The inclusion of those words, "including any amendments that have been adopted by the committee," being deemed to have been passed is unprecedented and, I submit to you, unworkable.

First, by eliminating any opportunity for members to vote on amendments, the government has ensured that the committee will have no amendments to report back to the House. Furthermore, by preventing the Chair from making a report, the government has ensured that Bill 122 will be pulled back from committee in its original, unamended form. So the impact of the time allocation motion is to deny opposition members or government members the opportunity of even putting an amendment

forward because, necessarily, the bill has to be reported back in the form that is dictated by the time allocation motion. By adding the words "including any amendments," the government has rendered the legislative process unworkable.

Should the House pass the time allocation motion, it will be asking the committee to report the bill back with amendments. In the absence of a committee report, how is the House to know what those amendments might have been should some of them, for instance on behalf of opposition members, by chance be adopted by the committee before it adjourns? There is no mechanism in place to allow this assembly to abide by the provisions outlined in this time allocation motion. It has been written in such a way as to ensure that the will of the House cannot be fulfilled.

I recognize of course that past rulings have deemed that time allocation motions can diminish or deny the rights of members as provided for in 1(b), because "They may be regarded," as Erskine May states, "as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House." Erskine May also notes that time allocation motions have been used when "governments have been confronted with the choice, unless special powers are taken, of cutting down their normal program to an undesirable extent, or of prolonging the sittings of Parliament, or else of acknowledging the impotence of the majority of the House in the face of the resistance of the minority."

Bill 122, the Oak Ridges moraine act, in my submission to you does not pass that test enunciated in Erskine May. It is a bill that all sides of the House publicly support in principle. While the opposition parties may seek to improve it at the committee stage, this is a bill that all members of this assembly have effectively co-operated on. The government has absolutely no reason to curtail the democratic rights of members in the severe manner proposed in this time allocation motion. This is, by the very structure of that motion, an unprecedented attack on members' democratic rights, as defined in standing order 1(b), "to submit ... debate, speak to, and vote on motions, resolutions and bills" before the assembly and its committees. It crosses the line significantly between preserving those democratic rights and affirming the will of the majority. Should this motion proceed, it would create a highly undesirable precedent, allowing bills to pass the committee stage without a vote, without a democratic vote.

As well, I put this scenario to you. Because of the cap on the time during which the committee will be allowed to vote, and because of the magnitude of the bill, and because of the fact that the motions shall be put in the traditional way—for acceptance or rejection of each and every clause, section, amendment—one understands the lack of capacity in that one-and-a-half-hour time frame, that 90-minute time frame. But look at this scenario as well. Should you have a scenario where amendments that are dependent upon other amendments are passed, in the

early stages of that 10 am to 11:30 am process, the amendment they amend may not pass because it doesn't get to a vote, and it's there by way of an amendment, which then creates the absurdity, which the rules are designed to accommodate and prevent, of amendments passing at the early stage of the 10 am to 11:30 am process, but then becoming irrelevant because the amendment they amended may not pass because it cannot be dealt with within the one-and-a-half hour, the 90-minute framework contemplated by the motion.

This is a most peculiar time allocation motion. I think it's a very dangerous one. I think it is, finally, the time allocation motion that warrants your attention, especially with consideration of standing order 1(b) and the clear and dramatic way in which it precludes a vote, also precludes reporting back and in effect denies the right of an opposition member or a government member to amend a government bill.

1600

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, with all due respect to the honourable member, this particular motion is very similar to many motions of this nature that have been passed. I would argue that the motion is in keeping with the practices and customs of this House and that we should be permitted to proceed with its consideration.

It's not the first time the House has been asked to consider a motion like the one before us today. Standing order 46(a) states, "The government House leader may move a motion with notice providing for the allocation of time to any proceeding on a government bill or substantive government motion." That is what this motion does for the subsequent stages of this bill. The motion allows for the bill to be reported to the House after 90 minutes of clause-by-clause consideration of the bill, and any amendments that have been passed after 90 minutes of clause-by-clause consideration can be reported back to the House with this bill.

Time allocation motions of this nature have been put before the House, debated and passed. This motion, again, allows for debate at third reading.

When confronted with similar questions regarding time allocation on December 2, 1997, Speaker Stockwell said that time allocation motions "can very rarely be out of order because they" do "suspend the very standing orders that we live by." This has been the understanding of all our Speakers since time allocation was introduced to the standing orders of Ontario by previous governments—a government actually, by the way, of which the honourable member was a member.

This understanding of our rules and precedents was further upheld by Deputy Speaker Churley on December 8, 1997, when she ruled on a time allocation motion and made specific reference to standing order 1(b). At that time she stated, "While standing order 1 may elevate the test that other procedures must pass in order for the rights of members to be affirmed, the time allocation motion, by its very nature, must logically be protected and saved from it. If it were otherwise," it would be logical "... to

foresee a scenario where a single member, by asserting the protection set out in standing order 1, could thwart the House from ever concluding consideration of an item of business that the remainder of the House demonstrably wishes to conclude.”

The motion being presented today is similar in scope to other motions considered and passed previously in this House. It was in order then, Mr Speaker, and I respectfully submit and trust that it is still in order today.

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I want to lend my support to my colleague for Niagara Centre's point of order, which was well thought out and well put. We have raised similar points of order in the past. The government House leader has referenced previous decisions.

Mr Speaker, I hold that you have an obligation to ensure the sanctity of Parliament, to ensure that time allocation is not abused. This government has used time allocation far more than any other government, and in our view, and our representations are, this type of manoeuvre, when a House like this only sits 95 days or so a year, and then in the last two weeks in December we're staying here until midnight debating complex pieces of legislation and then we're going to adjourn and probably won't be back until March or April, constitutes a violation of a variety of standing orders and ought to be considered in that context.

I would submit that the previous findings of the Chair on these matters shouldn't be confined simply to the strict, narrow interpretation of the standing orders, but that they must take into consideration and account the oversight role of Parliament, our rights and privileges as members to have an adequate opportunity to debate legislation, to place amendments and to have those amendments debated.

My view is that, historically, the Chair in this House has ruled too narrowly on the standing orders, without giving due consideration to the broader questions of the rightful role of Parliament. This is becoming rote behaviour: time allocation today, time allocation last week; we'll have two or three more time allocations. No government has ever used time allocation to this extent.

What's sad is that we sit so little. We do two or three sessional days in one calendar day, but we'll only sit for 90 to 95 days in the calendar year versus the federal House which last year sat for 135 days. I ask, sir, that in your deliberations you consider not only the strict, narrow interpretation of the standing orders, but look at the precedents of Parliament, look at our right, our job to oversee the government, to question the government, to debate its legislation and put it into the broader context of the proper functioning of Parliament.

We submit that this government, first of all, wrote the rules and, second of all, is abusing the rules, and accordingly the Speaker in our view has an obligation to look at the broader question of the role of Parliament and its ability to provide an oversight function with respect to the government.

Hon Mrs Ecker: Mr Speaker, thank you very much for allowing me to speak very quickly again. Actually if you wish to consider the broader case the honourable member for the Liberal Party is putting forward, you would see that not only do we have—yes, I agree there are more time allocation motions. However, what I would also like to point out is that that is because we are one of the busiest Legislatures, as a recent study has pointed out, of all the provincial Legislatures. We have had very many days to debate bills. If you look at our record of committee hearings, again it is a much better record in terms of committee time, out-on-the-road committee hearings, than other provincial Legislatures—more bills, more legislation. I would suggest that we have indeed put forward more legislation and more sessional days and that this in no way takes away from that. The statistics are very clear on our record vis-à-vis earlier governments.

The other thing I think it is important to recognize about this particular bill is that there was extensive consultation. There have been hours of debate, days of hearings. It is also a bill that it is very important to many communities, that we move forward on this legislation.

Interjections.

The Deputy Speaker: Order. This is a point-of-order debate. It's very important. I recognize the House leader for the official opposition.

Mr Duncan: Yes, Mr Speaker, if one compares us to Prince Edward Island, we have sat more and we deal with more legislation. In your deliberations, I ask you to consider, for instance, that on the snowmobile legislation we had last year, we had 11 days of public hearings—not to underestimate the importance of that because it was very important legislation, but this is a bill that affects the Oak Ridges moraine. This is a bill that governs and will have a dramatic impact on the development or lack of development of some of the most sensitive lands in our province, lands that provide the largest metropolis in this province, indeed in this country, with its source of drinking water.

This time allocation motion effectively limits us to under three hours of committee hearings or opportunity to put amendments, let alone debate and vote on those amendments. As you consider all the submissions, I urge you to consider again not just the total times, but to look at the way these motions are used and the legislation on which these motions are used. We again submit that it constitutes a violation of the rules and an attempt by the government to deal with matters that it doesn't choose to have proper hearings on, in a quick way, to get things out of the way.

1610

Mr Gregory S. Sorbara (Vaughan-King-Aurora): On the same point of order, Mr Speaker: It may be somewhat presumptuous of me to speak on this point of order, given that in this Parliament I've only had the advantage of sitting for a few months, but I did spend, from 1985-95, some 10 years in this Parliament. I simply want to offer a very brief historical perspective on this

time allocation motion and this point of order raised and I think eloquently argued by Mr Kormos.

The Deputy Speaker: I just want to say one thing before you begin. I'm going to allow you the opportunity, but I would ask that you stay to the point of order, as opposed to point of view. So please keep that in mind as you proceed.

Mr Sorbara: I am going to try my best to do that, sir.

I submit to you, sir, that if this kind of time allocation motion had been submitted to previous Parliaments—the ones I sat in from 1985-87, from 1987-90, from 1990-95—they in fact would have been rejected by the Speaker.

What I have seen over the course of the past 15 years is that succeeding governments have nibbled further and further away at the democratic rights of members of this House to debate and consider bills, both in second reading and for clause-by-clause consideration. I could not have imagined at that time that a time allocation motion could be submitted that would in fact say that there will be no clause-by-clause analysis, and the votes on the various clauses of the bill shall be deemed to have been voted upon and therefore accepted in the manner and in the order that the government with the majority wishes. That simply would never have happened in a Parliament of Ontario that I was a member of until this Parliament.

The fact is that there is a basic standard principle of law, "Thou shalt not do indirectly that which you cannot do directly." What this time allocation motion does directly is insist without any debate, without any consideration, without any vote that the bill shall pass in the form that the government wishes. That's the direct result of this. To do it indirectly by way of a time allocation motion, which effectively wipes out any committee consideration, I submit to you, sir, ought to be rejected.

I hear the government House leader talk about the stream of decisions. But I suggest to you, sir, that the law, our rules and our motions here are organic and that at some point the course of those rules needs to change so that a Speaker of this Parliament can, once again, start to invest in the members of this Legislature, in all parties, some small opportunity to have their voices heard. With a ruling today that rejects this time allocation motion, I submit to you, Mr Speaker, you could start down that new road.

I want to tell you, as someone who has sat in this House for 10 years and has now returned, that I am shocked at the distance we have gone to eliminate the rights of parliamentarians to consider public business. There has got to be a point when that thing starts to turn around, when a Speaker realizes that governments are simply eliminating entirely a member of Parliament's opportunity to do the public's business.

The Deputy Speaker: I did afford the government and official party House leaders an opportunity for a second comment. I will afford that same opportunity to the third party House leader, who raised the initial concern, again, keeping with the facts.

Mr Kormos: I appreciate the opportunity, but my argument is as I've expressed it. I think it's one that warrants serious consideration.

What's unique here—because, historically, there's always been a preservation, for instance, of the right to debate, but a restriction of it. In other words, "It shall be debated for one hour, two hours, three hours." This eliminates the right to debate. Second, it eliminates the right to vote, which, if you rank things, if you were inclined to rank things, is even more sacrosanct than the right to debate, because all time allocation restricts the right to debate. It means some won't be able to debate because of the time allocation. But the right to vote is what pushes this far over the line. I leave it for your careful consideration.

The Deputy Speaker: Just to assist the Chair, would you please again, in that same length of time that you just used or less, enunciate the difference, if you will, in how you read this time allocation motion versus others, because you know what's going to happen when I recess the House. I'd like to hear your arguments about why this is different.

Mr Kormos: Because it requires the committee to sit from 10 am to 11:30 am. It doesn't provide any time for clause-by-clause consideration. "At 10:00 am on the day the committee is scheduled for clause-by-clause consideration"—and I'm not talking about the public here; I'm talking about clause-by-clause—"those amendments which have not yet been moved shall be deemed to have been moved." But there won't have been any moved because everything will be deemed to have been moved because the day prior is for the purpose of conducting public hearings.

Section 3 says that December 6 is the day for clause-by-clause. It starts at 10 am, goes to 11:30. All amendments will be deemed to have been moved at 10 am. There will then be voting, starting with section 1 of the bill. But at 11:30 the committee ends, even if the bill hasn't been voted upon, even if there's been no vote on reporting the bill as amended back to the House.

So what you have here is a bill being deemed to have passed, even though there has been no vote. That, I submit to you, is the outrageous element and a very dangerous element. Our imagination doesn't have to get too vivid to see where that can take us in terms of how convenient it would be for any government.

The Deputy Speaker: At the risk of keeping this going on for far too long, I did initiate a question with the House leader of the third party. Does the government House leader wish to comment on that?

Hon Mrs Ecker: Yes, very quickly, Mr Speaker. I appreciate your indulgence. The wording in this motion is as it has been in other motions, based on the advice we've received from the table. So I would respectfully say that it is indeed in order.

The Deputy Speaker: Thank you very much for the submissions. We'll take a 10-minute recess to give me an opportunity to consult with the table and return with a ruling.

The House recessed from 1618 to 1639.

The Deputy Speaker: Let me say that I've given this a great deal of consideration and that I believe the House leader for the third party, who raised the point of order, has raised some important matters that I would hope the House would take seriously. Those arguments were supported by the member for Vaughan-King-Aurora, as well as the House leader for the official opposition.

I feel very constrained by the rules as we have them, and although I have a great deal of sympathy for some of the arguments, for the following reasons I've concluded otherwise.

First of all, on standing order 1, this standing order and its relationship to time allocation motions was fully fleshed out in a ruling dated December 15, 1997, specifically that standing order 1 has no bearing on orderliness of a time allocation motion. Second, numerous examples of time allocation motions do not allow debate at some stage; as far back as 1993, there have been time allocation motions that have indeed allowed for no debate at all at third reading and, further, many time allocation motions have specified no committee time whatsoever. Third, deeming provisions are consistent with the practice of this House. The only difference in this case is the clause that allows the amendments already passed by the committee to be reported with the bill. Since these amendments are duly passed by the committee, it offends no standing order or parliamentary practice. A far more thorough dissertation on deeming provisions in time allocation motions is contained in the Hansard of Speaker Edighoffer's ruling dated July 17, 1989.

Although my remarks at the outset stand, and I hope at some point this House would begin to turn back the trend, it is my opinion that the rules as they exist now, the practice of this particular Parliament and in preceding Parliaments, dictate that a ruling from the Chair must be that the motion is in order. As such, I look to the government whip to initiate debate on this.

Mr Kormos: Mr Speaker, I want to thank you for your ruling and for your consideration of the matter.

The Deputy Speaker: I thank everybody for taking the time and particularly in the manner that it was presented. I know how serious it was and do thank all of you.

Hon Mr Stewart: I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan, when Bill 122 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred to the standing committee on general government; and

That, notwithstanding standing order 28(h), no deferral of the second reading vote may be permitted; and

That, the standing committee on general government shall be authorized to meet in Toronto from 6 pm until 9:30 pm on the evening of Wednesday, December 5,

2001, for the purpose of conducting public hearings and from 10 am until 11:30 am on Thursday, December 6, 2001, in Toronto for clause-by-clause consideration of the bill; and

That, at 10 am on the day the committee is scheduled for clause-by-clause consideration, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto.

Any division required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a); and

That the committee shall report the bill to the House on the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration and not later than December 6, 2001. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee including any amendments that have been adopted by the committee, and shall be deemed to be reported to and received by the House; and

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading; and

That the order for third reading may immediately be called.

That, when the order for third reading is called, 60 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That, notwithstanding standing order 28(h), no deferral of the third reading vote may be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Deputy Speaker: Mr Stewart has moved government notice of motion number 101. The chief government whip has the floor.

Hon Mr Stewart: It is my pleasure to be able speak to the Oak Ridges Moraine Conservation Act, 2001. I believe, and certainly the reading today suggests, that the debate on Bill 122 has clearly gone on long enough. The sooner this legislation is passed, the sooner the government can protect the Oak Ridges moraine.

The people in this area want the area protected, and certainly the government notes that. The government wants to protect the area, and it's a perfect example of what this government is doing regarding the environment. A good example of that is the Living Legacy, which was approved and passed some months ago.

That's important. It's important that we get on with passing this legislation, because the Oak Ridges moraine is a very unique natural area in southern Ontario. Granted, it is not in my riding, but it is very close. If you go through that part of the country which includes the moraine, going down as far as Northumberland county, it is absolutely essential that we protect the natural features of that particular area.

It's also a very important source of clay and water for all those who live and work in the communities in and near the moraine. Certainly, with some of the concerns and problems that have surfaced over the last year or so, it is absolutely imperative that we protect the clean water source in that particular area. It has been a priority of our government and indeed will continue to be a priority with ourselves as government and with all Ontarians.

The Oak Ridges Moraine Conservation Act and plan would protect those natural and water resource features in the moraine that will preserve agricultural land and direct development to approved settlement areas. Certainly all of us who have been in municipal politics prior to coming to this House are fully aware that the agricultural land in this province has to be protected, yet we have to have development and expansion as well. But it has to be controlled; it has to be in areas that accent the areas where it's located too.

I think the idea of the act is very important, as I said, if we are to preserve the agricultural land in this province. The legislation would require all new Planning Act applications made on or after November 17, 2001, to conform to the Oak Ridges moraine plan. Within 18 months, municipalities will be required to amend their official plans and zoning bylaws to conform to the proposed plan. If you look in that particular area with the amount of municipalities that are included in it, every one of them has their own official plan; every one of them has their own zoning bylaws. I can tell you, of the area where I am, that the municipalities that surround Pigeon Lake I think have something like seven different official plans and seven different zoning bylaws. It is crucial that we get some type of consistency in some of the areas. Whether it be for the people who want to build there as residents, whether it's the agriculture component of it or indeed the development of it, we have to make sure that there is consistency across the region. This will happen so that people going into the area will know exactly where and when they can develop, what the zoning is on the property, if they want to make some changes and to move forward.

1650

One of the key components of this particular act is the protection of water resources, a priority for our government, a priority for Ontarians. The proposed plan would include strong policies to protect water quality and water quantity. It would protect headwaters and cold-water streams, such as those running into Lake Simcoe, and all the kettle lakes in the moraine. Again, the whole area is an environmental phenomenon and it has to be protected. This particular act will do just that.

Storm water has tremendous potential to contaminate groundwater. There is not a person in the House here who does not realize that, and I believe all have concerns for it. That's why I emphasize the fact that this bill go through as quickly as possible. We will therefore err on the side of caution when it comes to managing storm water—very, very important.

The plan would require innovative storm water management practices in order to protect sensitive recharge areas. It would prohibit technologies that cause rapid infiltration of storm water into the groundwater. Again, I believe in some of the statements is the protection, having a plan, having a management plan, having management practices in place in order to protect this entire area.

The plan would limit the amount of impervious or hard surfaces within watersheds. This is needed to protect the natural hydrological cycle, maintain groundwater recharge and reduce potential flooding and erosion, all things that are very important to this unique area, an area that I believe has to be protected.

I suppose because I represent a rural riding, with a farm background, I believe it is so essential that we have the plans in place. Unfortunately, up until recently a lot of people took things for granted. "Well, there was a plan there and it hasn't been revisited in a number of years. Oh, so what? It works." Unfortunately, when we look at some of the problems that we have with some of the municipalities regarding quality and quantity of water, it has proved that we had better start taking a long, hard look at putting plans in place, making sure that there are those regulations, standards and restrictions to make sure that we do protect these natural areas.

The proposed plan would require municipalities to set out wellhead protection areas for all new and existing municipal wells. It would also have to prepare management plans to control and restrict activity—

The Deputy Speaker: Sorry, could you take your seat, please?

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: This is a most riveting speech, but we don't have a quorum to listen to it.

The Deputy Speaker: Would the table please check for quorum.

Clerk Assistant (Ms Deborah Deller): Quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: The chief government whip may continue.

Hon Mr Stewart: I appreciate the member for Timmins-James Bay saying that, because I want many people to hear what I have to say; I have all my life. Certainly in this particular instance, where we are endeavouring to put through a bill quickly to protect the environment, I think it is imperative that all people listen to it. I truly believe some of the opposition did have some of their people here to listen as well, because they seem to be the ones who are putting the obstacles in front of this good bill going through.

Carrying on, many land uses could contaminate groundwater. We know that. We know that, and we've known it for many years. Unfortunately, as I said, many past governments have not acted on that and we, in turn, are and will. These would be prohibited in hydrologically sensitive areas. These uses could include, for example, underground storage tanks, toxic or hazardous material storage, auto wrecking or salvage yards and the retail sale of gas. Leakage and contamination seems to be happening in a lot of areas in this province.

I was very involved with waste management and landfill prior to coming to Toronto. One of the problems I have is when things are covered up; when things are kind of hidden away, I have great concern for them. Those are the things that can contaminate our groundwater, and, as I have suggested, quality and quantity of water is so essential. I know many of the people in the House live in urban areas where they believe the water comes out of the tap, and indeed it does, but those of you who have lived in the country and in some of the smaller urban areas know that if water is short, all of a sudden you're out of water, which happens. It's happening in our area right now, even with all the rain, but people are still drawing water. You don't realize just how essential that is until you don't have it.

For natural core—there again it's an interesting comment from Walkerton. Municipalities have got to take some responsibility that they haven't shown for a number of years with what goes on in their municipalities. Responsibility is what has to happen.

For natural core, natural linkage and countryside areas, upper- and single-tier municipalities would be required to prepare watershed plans—there again, in areas where I come from, most of them have watershed plans in place, and certainly with this act that would have to happen in the moraine area—and incorporate these plans into their official plans, again, showing consistency, making sure that the watershed plans are in place in these particular areas. The watershed plans would have to include water budgets and water conservation plans. Again, water conservation plans, as we have difficulties in some areas, appear to be needed more and more by the people they are having an effect on. We have to have these water plans; we have to have them in place. They would have to contain criteria to protect water quality and water quantity and hydrological features and functions. I want to emphasize the two words “quality” and “quantity.” You can have the best quality of water, but if you don't have the quantity, you are still in a bad situation, just as bad as if you didn't have the quality.

They would have to include a framework for implementation. The framework would include more detailed plans covering smaller areas, such as subwatershed plans and environmental management plans. There again, what you're going to see in this particular bill will make sure that plans are in place so that people know exactly what they can expect. If you're going to live in that area, if you're going to develop in that area, if you're going to

protect the natural environment in that area, they will know upfront.

Watershed plans would have to include an environmental monitoring plan—ongoing monitoring so that if anyone is trying to do some illegal activity in the area, it would be known up front and be monitored.

1700

They would have to include environmental management practices, such as pollution prevention, reduced pesticide use and road salt management—again, all things that are very important to people living in that area and also to people living in other areas of Ontario. Road salt has been a concern. Road salt is a major concern in the rural areas. The reduced pesticide use again is very important. Some things have happened in pesticide use where people who handle it, people who apply it have to be licensed and have to know how to use it, to make sure the environment is protected.

Some of the natural features that are included in this act are extremely important. Not only would the plan protect water resources; it would also include policies to protect the health, diversity, size and connectivity of significant natural heritage features. As I read some of the material that comes out of that moraine area from the news media, from people who are very involved, from the environmentalists in that area, these are policies that I believe we have to have in place, and the people in that area believe they should be in place. To protect the health and size etc of these natural heritage features is very, very important. These features would include wetlands, significant portions of the habit of endangered and threatened species—why not? Why wouldn't we? Why would we hesitate to pass this bill quickly, when things like endangered and threatened species may not be protected? Areas of natural and significant interest—why wouldn't we protect them as quickly as possible? Significant valley lands, significant woodlands and significant wildlife habitats—why wouldn't we get on and protect them? Certainly nobody else in the past has wanted to do that. It appears they haven't wanted to do it. It appears that you guys across the way don't want to do it now. Let's get on with it and get it done as quickly as possible. We have to be realistic and, as I said, get on with it.

I'm getting a little long-winded, aren't I?

Interjection: Yes.

Hon Mr Stewart: Anyway, we have their attention across the way, so that's a good sign that most of the stuff I've said is true—in fact, I suggest all of it's true. I'm pleased that the opposition has responded to me, because that means in my mind that we're on the right track. So let's get on with passing this bill.

Mr Sorbara: I'm delighted with the opportunity to have a few moments to speak to this time allocation motion. I want to say to you, Mr Speaker, reiterating some of the remarks I made during your consideration of Mr Kormos's point of order, that I find this time allocation motion to be simply shocking and almost incomprehensible, particularly given the length of time that people right across southern Ontario and certainly in my

riding have dedicated, over 30 years, in a campaign to put into place the appropriate public protection for the Oak Ridges moraine.

I stand here today to condemn this time allocation motion and to say to you that—let me put it this way—governments are defeated for two reasons: one, because of what they do, because of the policies they bring forward and the things they do to the people of a place like Ontario, and the second reason they are defeated is the way in which they go about doing them. I want to make it very clear that the real time allocation in Ontario is the time left for the Conservative government in this province. People don't care very much about the change in the Office of the Premier. That's not what they're looking for. It doesn't really matter. What they're looking for is a change in government. This time allocation motion is just another example of why people are so anxious to get to the ballot box in a general election and send them packing.

Let's look at this time allocation motion and see what it says. Bill 122, An Act to conserve the Oak Ridges moraine, has had exactly eight hours of debate in this Legislature. After eight hours of debate—today being Monday, December 3—the time allocation motion says, if I can paraphrase, that on Wednesday, from 6:30 to 9:30, the public is going to have three hours to let this Parliament know their views about this bill. The public has three hours to speak in this Legislature to one of the most significant pieces of legislation that this Parliament has considered during its life. Three hours of public hearings; three hours for the people of Ontario to come to this building and make their views known. So that's going to take place on Wednesday. Come on down. You have three hours, so maybe you'll get a minute to make your views known to the committee on general government. It's going to take place on Wednesday.

On Thursday, there's going to be fully one and a half hours for clause-by-clause consideration of a terribly significant piece of legislation. You read the time allocation motion and it says that it doesn't matter what amendments have been considered, talked about, proposed; they're all deemed to have been moved and they're all deemed to have been voted upon and they're all deemed to have been approved.

I listened very carefully to your ruling on Mr Kormos's point of order, and I could hear the regret, sir, in your voice that this Parliament has degenerated to this point. I know, sir, that you are bound by precedent and this book of standing orders. I want to tell you, as someone who sat in this Parliament for 10 years, that we have gone way down the road in dismissing any possible input of a parliamentarian in Ontario's public business.

There's only one piece of good news. Come the next general election, the members on that side of the House are going to be voted out of office and a new government will come in with a democratic charter that is going to dramatically change how this Parliament works. We will throw out these standing orders if these standing orders

mean that time allocation motions of this sort can be passed in this Parliament.

Interjections.

Mr Sorbara: Now we know how they really feel over there. They are worried, and they are worried with good reason, because people actually follow this stuff. People are appalled at the way in which succeeding governments have minimized, reduced and ignored the democratic right of parliamentarians to comment on and influence the public business, and this motion and the ruling that you were constrained to make is yet one further step. When the government changes and when we're elected, I tell you here and now, sir, that we are going to make dramatic changes to give life and vitality back to the people's Parliament. That's our commitment.

I want to take you through the history of the Oak Ridges moraine debate. I want to take you through this history, going back 30 years. An initial group started to come together 30 years ago to start to impress on the then Conservative government that development was coming north of Toronto and there was this very sensitive moraine area that deserved special consideration, in the way in which the Niagara escarpment had been given special consideration. They worked year after year to bring this to the attention of succeeding governments. Finally, in 1987 the then Premier, David Peterson, commissioned one of our members, Ron Kanter, to do a study on the Oak Ridges moraine. In early 1990, we brought submissions to this Parliament for a comprehensive program to protect the Oak Ridges moraine. After nearly 15 years of public debate, finally a government had taken a stand. Well, you know the history, sir. Our government was defeated. Your party, the party that you're a member of, was elected. And I know there were significant efforts on your part—

Ms Marilyn Churley (Toronto-Danforth): Say it: the NDP.

1710

Mr Sorbara: The NDP was elected. It was a mistake, but it happened, Marilyn. Your party was elected, and I know that you gave serious consideration to implementing a program for protection and preservation of the moraine, but it didn't happen.

Then, in 1995, the Conservative Party was elected. The pressure from community groups like Earthroots and STORM and others—they made their pitch to the Conservative government and they were laughed at. Their submissions were summarily rejected. They were told that there was no possible way you could freeze development on the Oak Ridges moraine. "Impossible," they said. Our own member from Eglinton-Lawrence led the crusade on behalf of our party, and he was told more than once in this Legislature that his ideas were simply foolish, and they were ridiculed.

Then, sir, a terrible tragedy happened. My predecessor, the former member from Vaughan-King-Aurora, suddenly passed away of a heart attack. We should remember him, because he was a great member. He was a great friend of mine. But the amazing thing was that

that changed the political dynamic right across York region. A by-election would have to be held. The government would have to defend its record. And suddenly, out of nowhere, like St Paul on the road to Damascus, the government saw the light. "We shall freeze development on the Oak Ridges moraine." Zap; it's frozen. Because, truthfully, in the world of politics, they were headed to a huge defeat in Vaughan-King-Aurora. Well, sir, I'll tell you, that defeat happened anyway, and it resulted in my taking this seat in this Parliament.

Do you know something? If I could just report to you about the mood in my riding during the campaign, the mood was that the government could not be trusted on environmental issues. They were very worried that they had to send a very strong message that the temporary freeze was not good enough, and they wanted permanent protections.

Finally, in this Parliament, a bill is introduced. It's given eight hours of debate. The bill, which we are going to support, is a terribly imperfect bill, and if you want to know the very worst of it—and most people in Ontario think it's all done. They haven't read the bill. They don't know that it provides in its body that any successive minister of the crown can summarily, with a regulation passed by the cabinet without any debate, basically wipe out the entire plan.

Our view is that the protections should be permanent. Our view is that there should be an Oak Ridges moraine commission, like there is a Niagara commission, to permanently oversee this very sensitive piece of Ontario's geography. But with this time allocation motion, we are given absolutely zero opportunity to make those arguments. That's why this time allocation motion is such a tragedy. I certainly will be voting against it.

The Deputy Speaker: The floor is open for further debate.

Mr James J. Bradley (St Catharines): Thank you, Mr Speaker. I too will be opposing the time allocation motion and I too noted the regret—at least what I detected as regret—in your voice at the ruling that you had to make. But I think more and more people should realize that this Legislature has become largely irrelevant in the democratic process in Ontario.

The member who served at a period of time from 1985 to 1995 probably didn't recognize the rules when he came back, how badly they've been mangled so that the House has become just about irrelevant. That's unfortunate for all of us in the House. The government whip over there mumbles and grumbles in a gruff voice about this, but I tell him, if you ever have the opportunity to sit on this side of the House, you'll find out what I'm talking about and why it's relevant.

Mr Sorbara: That opportunity will come to them soon.

Mr Bradley: That is always up to the electorate to make that decision.

But I keep saying it's in the interest of all members of the House that we not have rules of this kind. It's difficult. The member has said that the Liberal Party has

made a commitment to change the rules, to make the House more democratic. I can tell you, there will be a lot of people surrounding any new government who will be telling them they shouldn't do that. They will be saying, "The argument you people should make is, it was good enough for the Conservatives when they were in government; it's good enough in opposition." That's the problem when you make rules of this kind, when you change the rules that way. There are always going to be those people who will be giving that counsel and advice not to change them back.

You see, this isn't a business boardroom. Business should run differently as a boardroom in the decision-making process. It's a different venue, and there are some good business practices we can bring to government. But the deliberations and the decision-making are not things that you impose from business on a democratic Legislature, though in terms of practising certain things within government, it can be helpful. That's why I consistently oppose these kinds of motions.

There was a point of order brought earlier to say why this is a particularly difficult motion to accept. We could talk about the closing of schools in each one of our constituencies. Tonight, one of the committees of the District School Board of Niagara will be making a decision on schools to be closed. There are eight of them under the gun right now; five of them are in my constituency of St Catharines.

An outdated, outmoded and excessively restrictive funding formula from the Ministry of Education, from this government, is compelling boards of education to make decisions that, in their own mind, they know are not right for the children in that area. We know that those schools are also community centres, they're recreational centres and the yard itself is used for sports and recreational activities and open space.

The kids are going to have to take buses to the new schools. It simply isn't going to be satisfactory. I don't think anybody says that under no circumstances would any school ever close, but we think that the funding formula is excessively restrictive. I'd like to talk about that.

I'd like to talk about the need for the Visudyne treatment for those with macular degeneration to be covered by the drug benefit program of the province of Ontario, as I have on numerous occasions in this House, along with my colleagues in the Liberal caucus. That's the kind of thing I'd like to be talking about, instead of a time allocation motion.

I'd like to talk about what I consider to be an abuse that governments are into. At a time when there's financial restraint, when the Chair of Management Board is going around having to tell various ministers that they have to cut back in their budgets, what do we have? Another propaganda piece from the government.

It's interesting, because if I asked the federal government members about their piece, they'd say it's not propaganda either; except that I think anybody objective who looks at these would recognize that there's a

propaganda message in it, there's a political message in it. I think we should discontinue that.

That's not to say there isn't information that governments can provide in a way that is without partisanship; it can be, and there are some reasonable ways. I think that's an abuse, and that's one of the things we should talk about.

The auditor's report and food safety in this province: a real issue, a real concern as government cutbacks are in place and we're unable to inspect meat in this province the way we'd like to; or the fact that there was withholding of information from the Provincial Auditor. All of those are things I'd rather talk about than a time allocation motion.

1720

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I am also pleased to join this important debate. A very wise man once said, "You don't know what you've got until you lose it." In these troubling times, we must be particularly vigilant to affirm our most precious democratic freedoms, because compromising core components of our healthy democratic process is very dangerous indeed, and we've seen a lot of that the last week.

As you know, I'm a relatively new member of this House. I arrived here eager to get going, to engage in the democratic process, to listen to some of my esteemed colleagues who, on a good day, inspire me.

Listening to the Minister of Municipal Affairs talking about Bill 111, the Municipal Act—he said, and I had conversations with him, "We want to get this bill into committee so we can make it a better bill, so that we can shape it so that new relationship we're talking about with municipalities, one predicated on respect and trust and consultation, would be advanced." The government was so committed to consultation that they used closure to make it happen more quickly.

Ironically, I came just a few moments ago from a meeting of the standing committee on justice and social policy. We were dealing with Mr Colle's private member's bill dealing with heart defibrillators. The ironic thing was the government took the position that they didn't want to support it, for a whole slew of reasons, not the least of which being they thought it was more appropriately something that should be handled municipality to municipality. Yet ironically, just last week when members of our caucus, with support from members of the caucus of the third party, actually put an amendment which would have allowed that, the government members of the committee voted it down.

In fact, I found it passing strange that every single government amendment to Bill 111, the new Municipal Act, predicated on trust and respect, was passed, and every single amendment that was put by the NDP and the official Liberal opposition was rejected. I want to suggest it wasn't because the amendments that were put by opposition members were lacking in integrity or decency or appropriateness vis-à-vis the municipal scene. It was,

strictly speaking, just narrow-minded ideological knee-jerk politics again.

When I came here, I was an incurable optimist, but I need to tell the members opposite, I'm now cured, almost completely. The kinds of things that were rejected, if you can believe it—we put amendments that said municipalities shouldn't be amalgamated against their consent. Defeated. We've said there should be a prescribed period with respect to downloading and consultation. It was defeated. The safety aspects that I've just pointed out were defeated. A number of amendments with respect to the natural environment were defeated. What fundamentally was defeated was the minister's promise and assurance that he was serious, and that he wanted us to **proceed with this legislation in a spirit of tri-partisanship**, to really do the things that we needed to do.

I hope, as the Premier wannabes are redefining themselves and racing to the centre, that part of that race to the centre might include some consideration of democracy. They could start with some of the propositions that my own leader, Dalton McGuinty, has put.

The Oak Ridges conservation act—simply put, the government's own panel, and virtually every environmental group connected, was recommending full hearings. This government has decided not to proceed with that. Why? Because the bill simply has a number of massive loopholes, which I think this government, in its heart of hearts, fears are going to be exposed. The protection is temporary. Any portion of the act could be revoked at any time by regulation. Major roads are still allowed to go anywhere. There are all kinds of sidebar deals that could be struck.

In the technical briefing—I recommend it, by the way, for those who want to get some real information; I was one of two MPPs who attended it—we were told that 9% of the proposed settlements would be outside the settlement area and we'd get information. We're still waiting for that. We need a watchdog commission here and a permanent plan, not something that can be revoked at any moment and not a bill that's going to be handled simply through regulation. That's not—

The Deputy Speaker: The member's time has more than expired. Further debate.

Ms Churley: I rise in opposition to the time allocation motion before us today. The—

Interjection.

Ms Churley: Yes, I am.

Democracy, as we all know, can be messy and it can take time, but I think we all agree in this place that we're darned lucky to have a democracy, a system where we can get up and debate and make our views known, where communities can get involved and make their views known. We know that within the existing system we have, the British parliamentary system, there is a majority government and at the end of the day you get your way. All of us in this House, all three parties now, have been in government and we all know how it works.

But what you have to understand is that when you rush through significant bills like this, it really makes people

mad. People are really mad about this. We have a representative from Earthroots here today. He's mad about this. We have representatives, who aren't here right now, from STORM and other groups who are angry about this. They want this bill to pass because it is better than where we started, believe me. Again, I want to congratulate them and all those from the 905 community who put forward their ideas and just grilled the government and went out in the thousands for meetings and made them move a long, long way from where they started, where they weren't going to do anything.

The communities that have an interest in this, and I and the New Democratic Party, who have concerns about this significant bill, are not having a significant opportunity to discuss it. What is most galling about it, Mr Speaker, and you know because you had to make that tough decision—and I agree, I heard regret in your voice as well, and I've been there, as you know—following the rules that were before you; you had to base your decision on that. These kinds of time allocation motions should not be here before us. We should not have to be deemed to agree with something. That really offends me, that years from now the record will show I voted for something that perhaps I wouldn't—I don't know yet—but I'm not going to have that opportunity to say "aye" or "nay." That is outrageous.

I don't understand exactly why the government is doing this. One can try to imagine. Let's propose first that, yes, the government has come a long way from the early days when Shelley Martel and I put forward a couple of bills. Our bills, as you know, were more inclusive, because when the New Democratic Party was in government we brought in a green planning act, and people will recall that one of the very first items on the Tory government agenda was to wipe out that green planning act.

Had it stayed, a lot of the problems that showed up about the Oak Ridges moraine never would have happened, because the green planning act we brought in was very clear about development on these environmentally sensitive lands. But the Tory government took away those really good, far-reaching clauses in that bill. In fact, in the new Planning Act they brought in, they really got more regressive. They brought the Planning Act to the pre-Liberal and Tory days before then. They didn't just wipe out the NDP green planning act. You made it even more regressive. So that was taken away; that really strong tool that was given to municipalities and the OMB was wiped out. That was after John Sewell, who by the way came in on time and under budget, I believe, which is pretty much unheard of in this place, with a general consensus from all the parties who were involved in a two-year consultation process. That bill passed in this House, I believe, at the time—I'm not sure—but opposition parties voted against it because some said it went too far in the green direction. But overall there was a strong consensus about that bill, and that was wiped out.

Now here we are today debating a time allocation motion before us yet again. It makes me think back.

We've been in government here. We know what it feels like when you get in government and backbenchers and new people, even ministers who haven't been here before, say things like, "What's going on over there? We're the government. We have the majority and those people in opposition are holding things up. We're the government. We have the power. Why should we let them do that?"

That's what happened over there. Shortly after they got in government, John Baird, I remember, who must have been a backbencher then, if I recall—yes, he was—the tool of the minister responsible, came forward with the so-called private member's bill—remember that?—about rule changes, slid in through the back door, outrageous rule changes which we fought—

Mr Kormos: Previous governments have never done stuff of that nature.

1730

Ms Churley: Never like that; not that outrageously anyway. Now, you be quiet. The member for Niagara's causing some problems for me here again.

But no, outrageous. He would agree with me and the whole House would agree that we had never seen anything like those rule changes. Talk about slapping down democracy. Everybody here will remember—think back to, I think it was Bill 26, the downloading bill, which—

Mr Kormos: The omnibus bill.

Ms Churley: That's right, the omnibus bill. A huge bill brought before this House. I forget which year it was, but the Liberals and New Democrats worked together on strategy on that bill and we used the rules to try to hold it up. Yes, we confess, we talked to each other and we agreed because the rules at that time said you had to vote. Alvin Curling from the Liberal Party was the first person called, by virtue of, I guess, the alphabet that day. He was the first person and he refused to stand and take a vote. We had already decided that our party was all going to go over there, along with the Liberals, and surround him, to protect him from the Sergeant at Arms—not this Sergeant at Arms, I'd like to point out; our former Sergeant at Arms, who was put in a very tough spot. But he did go over there and there were big pictures in the papers of all of us together, the opposition, saying, "No, we do not accept this kind of bill. It should not be here in one piece." He sat, I forget for how many hours, but there were many—

Mr Kormos: Well overnight.

Ms Churley: Well overnight—many jokes that came out of how he was able to do that, which I will not go into. But you know what happened right after that? The government said, "We can't let that ever happen again." They changed the rules, so now you can abstain from votes. You can't do that any more.

The thing that sticks in my mind, perhaps because I was then, Mr Speaker, in your position—I was Deputy Speaker and we had nine or 10 24-hour days debating Bill 103. That was the amalgamation of the city of Toronto. The New Democratic Party came up with a way within the existing rules to, some might say, filibuster. It

wasn't our position. I don't think we were filibustering. It was a very bad bill that the majority of the people within the five cities who were going to be amalgamated disagreed with, and the government wouldn't listen. They even had polls because the government refused—here again we have this hypocrisy. They say they believe in the democratic process, but refused to have any kind of referendum or poll from the communities most affected on this. They did it themselves, and huge majorities of people said, "This is bad for us." We had an example from Halifax that had done this kind of amalgamation. We could show that it wasn't going to work, and in fact it hasn't. It's a disaster for our cities, but they went ahead anyway.

We believe that what we did then within the existing rules was legitimate, to give people more time to get down here. People were organizing in the thousands. The galleries were filled, those days and nights. I remember getting up, going to my office and having one or two hours' sleep and coming up with really bad hair. That was a real problem for me, those days, getting up off my couch and coming in and sitting at that table and reading street name after street name, but it was done because that's what democracy is all about. The majority of people in those five cities believed that what you were doing was wrong and you were not listening to them, so we found a way to give them more of an opportunity to have their voices heard.

The government changed the rules so that cannot be done again.

The opposition in this place now, frankly, has very little impact. The kinds of opportunities—

Interjection.

Ms Churley: It is true—within that context has very little impact—I'm not finished my sentence here—when it comes to holding the government accountable for the things they are inflicting on the people of this province because the rules have been changed to the extent where debate is shut down prematurely. I'm going to therefore come back to the bill we're talking about today and the time allocation motion before us.

I believe that the opposition, along with the community groups who have been working on this for years, have had a huge impact. That's why we've come this far, because of democracy, because we've been able, together, to change the government's mind and make them understand that they were going to lose a lot of seats—that's what this is about and that's fine; it's a part of democracy as well—if they didn't do more to save the Oak Ridges moraine. But now, and this is where democracy is being shut down, the bill is being rushed through.

People want an opportunity to be heard. The people who have been directly involved in getting to where we are today want longer hearings, because they have many concerns about this bill. They have, I believe, three hours to come and talk about their concerns. We have concerns about the bill. We pointed out on many occasions prior to the bill not only that we needed the protection of a freeze on the Oak Ridges moraine and the protection in the

study we did, which this government shelved, with all kinds of good ideas in it, but that we needed that updated. We wanted a freeze until that was done.

Our bills, the New Democrats' bills, also went further and brought back components of the green planning act, because not only does this not solve many of the problems of the Oak Ridges moraine—it doesn't do the whole thing—but there are other environmentally sensitive lands on which people are going to have to go through a similar process because this just applies to the Oak Ridges moraine. Our private members' bills passed and went through second reading and got sent to the general government committee, but were never called.

That's another issue I want to speak about for a moment: the lack of significant bills that actually get passed here and get sent to committee and actually get heard. Everybody knows I've got one now that was sent to the general government committee, and that's the adoption disclosure bill. That's a bill that the majority of people, from all parties in this Legislature, support. Do you know how I know that? We've had debate on this bill many times before. There's one small change in the bill I brought forward. Most of the people in this chamber voted for it again and again. I know people support the present bill, because I have talked to most every member in this Legislature now and the vast majority of people support that bill, along with thousands and thousands of people who are affected by these archaic adoption disclosure laws we have.

All over the world now changes have been made. This is the kind of bill that should be brought forward, a private member's bill that so many people support. That's what democracy is all about. Why should a few people here who oppose it—they have a right to speak to it and state their case—shut down something that the majority of the population supports and that the majority of legislators support?

We have this time allocation bill before us today and I want to take a few minutes to talk about some of my concerns about the bill. Obviously the key one, perhaps the biggest concern—I think the present government members should agree with this. They might not be the government the next time.

Mr Morley Kells (Etobicoke-Lakeshore): At least you have it down to "might not."

Ms Churley: You never know. The Liberals, let's face it, have been high in the polls the last two elections and have fallen down. In 1990, when the New Democrats went into that election, we were way down in the polls and look what happened. I think the New Democratic Party has a very strong platform and a very strong sense of ideas alternative to what the Tories are saying and doing in this province.

You never know what's going to happen at election time, as people listen and make their decisions about what kinds of things they want to see happen, what kind of Ontario they want to see in the future. The government could very well—a few of you could be sitting right here where I'm standing now. Some of you have been over

here. You know what it's like. You've experienced the frustration of being in opposition, and that was before the rules got changed to this extent, where there are fewer and fewer opportunities for the opposition to be engaged in the debate.

We see so many time allocation motions now; we see debate shut down all the time. We see public hearings on things like snowmobile trails, which are important, for—what?—two or three weeks out there. But we've got three hours on such a significant bill as this before the vote is taken and I don't have a voice. I don't have the opportunity to say whether or not I support an amendment. That's ridiculous. That's not democracy.

1740

I have concerns about this bill. My party has concerns about this bill. When it was announced, I did the right thing. I believe that I stood up and congratulated the people from the 905 and the groups who worked so hard on getting to where we are. I told the government that I thought it was a great leap forward and congratulated them for what they presented to us, but I said very clearly that I have some problems and that we need to have an opportunity to correct those problems. I support the move forward but I don't support it as it stands. There are some major problems.

It's been pointed out by others that the most significant one is that, by regulation, any minister at any time can take out any portion—the whole bill, if they want—of the bill. There are highways being built. They're extending Highway 427. I understand that the new super-highway at the north end of York region, I believe, is being built. They're talking about extending highways. We know, and nobody would argue with this, the iron law is that when you build a highway, development comes. You know that. We've seen that happen. Also, people think, "How do you deal with gridlock?" You build a new highway through the Oak Ridges moraine; you extend a highway. Guess what? Studies have shown, where they've done real smart growth, as opposed to this dumb growth, that when they extend the highways or build a new one, gridlock has not stopped. It's still a problem. What you need to be doing is investing in public transportation, big-time. What this government does is just the opposite.

Interjection.

Ms Churley: No, just read statistics. You don't have to believe me. Mr Speaker, I know they're not going to believe me. Statistics show it. They've tried it in other jurisdictions. This is not smart growth: building new highways, extending new highways. It's not going to deal with gridlock. As you develop more and more the outreaches on good farmland outside of the major built-up areas, more and more cars come on to those highways because there isn't adequate transportation, particularly in the regions outside the built-up area. That's one of the major problems, as well as the issue around government being able at any time to take out any portion of the bill.

There is the issue of the 10-year review, I believe. Some people say, "That's a good thing, because the

government can improve on it." But look at the opposite side of it. We know that this government gets all kinds of money from developers. We know some of the Liberals get all kinds of money from developers. There are a couple of elections coming up over the course of that time and a lot of pressure to tear that plan apart. All of the work, all of the effort that people put into getting even this far, could just like that, in 10 years, be thrown out. If you want to have a 10-year review, it should stipulate that the review would very specifically deal with problem areas that people are pointing out. The government is saying right now, "We refuse to fix these areas." If there is a review, it should be very clear that it will be examining some of the areas within the existing bill that could be problematic or are being pointed out as being problematic and say, "OK, we're not going to change it now," but at least go so far as to say, "We'll take a look at that when the review time is up."

The other issue that I wanted to talk briefly about, and there are so many, I'm not going to get them all right now—I pointed out before, as have others, the land swap that's going on. What is that all about? Some of those developers, we all agree—I said that very clearly here—should be compensated.

Interjection.

Ms Churley: Yes, they do, but some of them were speculating. If you go out and gamble, you go out and buy farmland at a very cheap price and you don't know if the zoning is going to be changed or what the government is going to do, you're speculating. You are speculating. I'm not talking about the little guy out there who's bought some land and is building his house. He should be compensated, and some of the developers should be compensated.

These deals are happening behind closed doors, in secret. Every one of them should be transparent, tabled in this House, and we should take a look at what kinds of deals the taxpayers are getting into here and whether or not these are legitimate. Because we all say some are, but some aren't, and that's what's going on.

There's concern about the land swaps in Seaton. Some of that land is environmentally sensitive as well. It has some of the same issues and the same problems. We should be looking after the wheat. But still, we've passed a bill on brownfields. If we're doing some swapping, maybe we should be looking at Ataratiri, some of the lands in built-up areas as exist.

I'm very disappointed to have this time allocation motion before us today, and shame on the government.

Mr Kells: Since the late 1980s, people have been concerned about the long-term health of the Oak Ridges moraine. Two successive governments talked about protecting the moraine, yet by the spring of 1995 no strong measures had been taken and development applications continued to be approved.

I was invited out of government in 1985, but I was around—

Ms Churley: What were you doing? Come on, tell us.

Mr Kells: I'm going to tell you if you'll just wait. In my capacity as president of the Urban Development Institute, and the honourable member and the Sorbara family were very valued members of that organization. Actually I was proud to be the president and I still am. There was a heck of a lot more honesty in the development industry than I sometimes find in politics.

Anyway in the late 1980s, Ron Kanter, then a member for the Liberal Party—the government—wrote a report called a greenland study on the Oak Ridges moraine. I had occasion, of course, to read that in detail and wrote a number of times about it and its impact. As I said at the time, it was a bunch of woulds, coulds and shoulds that a government might do to protect the moraine.

As you know, history tells us—and it's been told in this Legislature today—that the NDP became the government of the day, and somehow the greenland study disappeared off the radar screen.

David Crombie had two royal commissions going at the same time, and he picked up that challenge and expanded it to take in the moraine. Of course, over that period of time I wrote many times about Crombie's reports and his interim reports. In his final report, he did get into the Oak Ridges moraine in a fairly large way.

Mr Bradley: He shows up everywhere.

Mr Kells: Yes, he does. As you'll recall, what happened to Crombie was he cut a—I'm never going to say that word. He changed under the regeneration—

Mr Kormos: Metamorphosis.

Mr Kells: Yes, that's the word I was trying to get, with a verb on it.

Anyway, he went in there and the moraine went with him. No action was taken until 1995 when along comes our government. By that time there were lots of development applications. Developers will always go where they can sell houses; it's just a natural marketing rule.

In the long term this government has done more in the last six months to protect the Oak Ridges moraine than the other two governments did in a decade of talk. That is why it's so vital that we get on with the job of passing Bill 122, the Oak Ridges Moraine Conservation Act.

I would like to point out that it didn't take this House very long to pass the bill freezing development on the moraine; I think it took five minutes. It just indicates that when the Legislature wants to move quickly and they're in some kind of agreement, they can. All we've done is do what we promised to do when we put the freeze on. We've had our advisory panels report to us. We've dealt with the problems.

Mr McMeekin: We're surprised.

Mr Kells: I think you're surprised that we got an agreement, and I think you're surprised that we're here today with this bill.

The honourable member in the third party indicated that she didn't feel there would be an agreement that it should all be done in a transparent way. I think in a very

honest way, that's the way it's going to be. There are going to be long, drawn-out negotiations. Regardless of her thoughts about a developer, a developer who pays for the land owns the land and is due the protection of any other citizen. If his land is worth a certain value at the time you want to take it, then you should pay him that value.

The Deputy Speaker: The time for debate has expired.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate by saying "aye."

All those opposed will please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1750 to 1800.

The Deputy Speaker: Order. All those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Johns, Helen	Sampson, Rob
Chudleigh, Ted	Johnson, Bert	Snobelen, John
Clark, Brad	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Maves, Bart	Tasca, Joseph N.
Ecker, Janet	Mazzilli, Frank	Tilson, David
Elliott, Brenda	Miller, Norm	Tsubouchi, David H.
Galt, Doug	Molinari, Tina R.	Turnbull, David
Gilchrist, Steve	Munro, Julia	Wettlaufer, Wayne
Gill, Raminder	Mushinski, Marilyn	Wilson, Jim
Harris, Michael D.	Newman, Dan	Wood, Bob
Hodgson, Chris	Ouellette, Jerry J.	Young, David
Hudak, Tim	Runciman, Robert W.	

The Deputy Speaker: All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Di Cocco, Caroline	McLeod, Lyn
Bartolucci, Rick	Duncan, Dwight	McMeekin, Ted
Bisson, Gilles	Greetsen, John	Patten, Richard
Bountrogianni, Marie	Gravelle, Michael	Peters, Steve
Bradley, James J.	Hoy, Pat	Phillips, Gerry
Brown, Michael A.	Kennedy, Gerard	Sergio, Mario
Churley, Marilyn	Kormos, Peter	Smitherman, George
Conway, Sean G.	Levac, David	
Cordiano, Joseph	Marchese, Rosario	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 41; the nays are 25.

The Deputy Speaker: I declare the motion carried.

It now being after 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1804.

Evening meeting reported in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Baird, Hon / L'hon John R. (PC)	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
Brown, Michael A. (L)	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
Carr, Hon / L'hon Gary (PC)	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	
Clark, Hon / L'hon Brad (PC)	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
Clement, Hon / L'hon Tony (PC)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Coburn, Hon / L'hon Brian (PC)	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
Cunningham, Hon / L'hon Dianne (PC)	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Di Cocco, Caroline (L)	Sarnia-Lambton	opposition House leader / chef parlementaire de l'opposition Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	
Dunlop, Garfield (PC)	Simcoe North / -Nord	
Ecker, Hon / L'hon Janet (PC)	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
Elliott, Hon / L'hon Brenda (PC)	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
Flaherty, Hon / L'hon Jim (PC)	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore-Malton-Springdale	
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Leader of the New Democratic Party / chef du Nouveau Parti démocratique Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances Premier and President of the Executive Council / premier ministre et président du Conseil exécutif Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hampton, Howard (ND)	Kenora-Rainy River	
Hardeman, Ernie (PC)	Oxford	
Harris, Hon / L'hon Michael D. (PC)	Nipissing	
Hastings, John (PC)	Etobicoke North / -Nord	Minister of Tourism, Culture and Recreation / ministre du Tourisme, de la Culture et des Loisirs Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Hodgson, Hon / L'hon Chris (PC)	Haliburton-Victoria-Brock	
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Hon / L'hon Tim (PC)	Erie-Lincoln	
Jackson, Hon / L'hon Cameron (PC)	Burlington	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Johns, Hon / L'hon Helen (PC)	Huron-Bruce	
Johnson, Bert (PC)	Perth-Middlesex	
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Bram	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre déléguée au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
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Sterling, Hon / L'hon Norman W. (PC)	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises

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Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
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of Ontario**

Second Session, 37th Parliament

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de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 3 December 2001

Lundi 3 décembre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 décembre 2001

The House met at 1845.

ORDERS OF THE DAY

WASTE DIVERSION ACT, 2001

LOI DE 2001 SUR LE RÉACHEMINEMENT DES DÉCHETS

Mr Arnott, on behalf of Mrs Witmer, moved second reading of the following bill:

Bill 90, An Act to promote the reduction, reuse and recycling of waste / Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.

Mr Ted Arnott (Waterloo-Wellington): It's my pleasure to lead off debate on second reading of Bill 90, the Waste Diversion Act, as amended by the standing committee on general government. As my colleagues in this House know, this important piece of legislation promotes the reduction, reuse and recycling of waste by creating Waste Diversion Ontario—or, as we call it, the WDO—as a permanent arm's-length corporation to develop, implement and fund waste diversion programs in the province of Ontario.

Among other things, Bill 90 reaffirms our government's commitment to the blue box program and to ensuring that municipalities have the tools they need to deliver waste reduction services. If this bill is passed by the Legislature, Ontario should be on track to exceed its goal of 50% reduction in waste going to disposal. Ontario is currently achieving over 40% reduction in waste going to final disposal, and with the Waste Diversion Act in place, it is our expectation that this goal will be met and surpassed. It will provide for the growth in our already successful blue box program by providing municipalities with 50% funding of their net blue box program costs by industry.

This bill, however, goes beyond sustaining and enhancing our blue box system. It will also lead to increased diversion of many other waste materials, such as organics, scrap tires, used oil, household special wastes, electronics, pharmaceutical products, fluorescent lighting tubes and batteries. This is not only about diverting these materials from final disposal but also about ensuring environmental protection. The Waste Diversion Act, if passed, will create Waste Diversion Ontario, a non-crown, multi-stakeholder corporation with

industry, municipal, non-government and Ministry of the Environment representatives on its board of directors. Its purpose is to develop, implement and fund programs to divert these waste materials from final disposal. The legislation also provides for the establishment of industry funding organizations to raise the necessary funds within affected industry sectors to support and implement these waste diversion programs in co-operation with the WDO.

The legislation authorizes the Minister of the Environment to require the WDO to develop waste diversion programs—for example, programs to reduce, reuse or recycle waste—for materials prescribed by regulation as a designated waste. As I previously mentioned, it is our intent to designate the following materials as part of this initiative: blue box consumer packaging; household special wastes such as paints, varnishes and other household cleaning products; organics such as household food wastes; scrap tires; used oil; electronic equipment such as computers, televisions, telephones etc; batteries; fluorescent lighting tubes; and pharmaceutical products.

Once designated, the Minister of the Environment would require the WDO work with the affected industry sector or sectors and other experts to develop a waste diversion program for the designated material.

1850

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Quorum call, please.

The Acting Speaker (Mr Bert Johnson): Will you check to see if there's a quorum present.

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I think it's important for the members in the chamber to recognize that the quorum bells are interfering with the Christmas concert, which is on at the bottom of the stairs. I think, for the invitees to that important occasion, there should be some consideration—

The Acting Speaker: That is not a point of order. The Chair recognizes the member for Waterloo-Wellington.

Mr Arnott: As I was saying, once designated, the Minister of the Environment would require the WDO to work with the—

Interjections.

The Acting Speaker: Order. The member for Waterloo-Wellington has the floor and no one else.

There's no need that I should hear any other voices. I do and I won't stand for it.

The member for Waterloo-Wellington.

Mr Arnott: Thank you, Mr Speaker.

Once designated, the Ministry of the Environment would require the WDO to work with the affected industry sector or sectors and other experts to develop a waste diversion program for the designated material. As part of this process, the WDO will be required to consult with members of the public in developing the program. This program will be submitted to the Minister of the Environment for approval.

Once the Minister of the Environment approves a waste diversion program that has been developed for a designated waste, the program would be implemented by the municipalities for municipally delivered programs like the blue box or the IFO for industry-delivered programs. The IFO, with WDO and minister's approval, will have the authority to determine those industries that will be required to pay for implementing the approved program.

As members know, this bill has completed hearings through the standing committee on general government. We were pleased that the majority of the submissions that came forward supported the bill. Let me point out some of the positive comments that were received from these groups or associations that had been part of the extensive consultations that occurred during the development of this legislation.

But before I point out some of the supportive comments, I just want to mention that numerous stakeholders have been inquiring regarding the timing and status of this bill. They clearly want it passed immediately. There's a large contingent of support to move this bill forward. Stakeholders such as corporations supporting recycling, the Municipal Waste Integration Network, the soft drink industry, the Association of Municipal Recycling Coordinators and the Association of Municipalities of Ontario have all indicated a desire to see this bill move quickly so they can move forward to develop waste diversion programs.

The Association of Municipalities of Ontario stated, "MOE should be commended for following through on its commitment to waste diversion in Ontario," and that this was "groundbreaking legislation." The Association of Municipal Recycling Coordinators, representing front-line operators of municipal waste diversion programs, identified the legislation as "a potentially powerful tool to deal with waste diversion and help relieve the financial burden currently borne by municipalities."

In their comments related to Bill 90, the Recycling Council of Ontario stated that the "passage of this legislation is critical to the success of waste diversion programs in Ontario." While recommending improvements to the act, the Recycling Council of Ontario commended the government for "introducing this progressive legislation."

Both the Canadian Manufacturers of Chemical Specialties Association and the Canadian Paint and

Coatings Association appeared before the standing committee to demonstrate their "support for the goals and objectives of Bill 90, and to encourage" the committee "to recommend its adoption."

Corporations Supporting Recycling stated, "It will return Ontario to the forefront of recycling in Canada." They further stated, "This bill is a good solution that was built through a process of consultation and consensus and it is based on a shared responsibility model that sets the framework for economic and environmental sustainability."

Let me say that this indicates the level of broad support this legislative initiative has received. The government has listened to the good ideas that were suggested through the standing committee and the Environmental Bill of Rights process, and we feel the following amendments strengthen the bill even further.

As I indicated, the amended bill reflects comments received during the committee process. The first amendment clarifies the purpose of the act. Some comments received through the committee process indicated the intent of the act needed to be clarified. A purpose statement has now been included to clearly define the intent of the bill. It reads as follows:

"The purpose of the act is to promote the reduction, reuse and recycling of waste and to provide for the development, implementation and operation of waste diversion programs."

The composition of the board of directors of the WDO was one area in which many comments were received. Board membership reflects those directly affected by diversion programs, specifically those that will be paying fees. It also reflects the agreed to number of positions with municipal stakeholders. The membership reflects those waste diversion programs that are expected to be completed in the early stages of the initiative. The bill was amended, however, to allow for the Minister of the Environment to appoint an additional non-voting member to the board of directors. This member will be from the general public.

Comments also indicated a need for the WDO to address the efficiencies of waste diversion programs as well as their effectiveness. The requirement for WDO to monitor not only the effectiveness, but also the efficiency of programs has been included in the amendments to the bill. Well-run, cost-efficient programs will reduce costs for both industry and municipalities.

Another amendment to the bill was to ensure that it was clearly stated that industry payments must equal 50% of municipal blue box net program operating costs. Comments indicated that the wording concerning this commitment needed to be clarified in the bill. The revised wording provides this clarity and more closely reflects the voluntary Waste Diversion Organization's recommendations to government on this commitment.

The bill was also amended to require both the WDO and the IFO to approve any voluntary contributions that may arise. Previously the IFO could accept voluntary contributions from those in industry required to pay a fee

and allow for a reduction in or an exemption from those fees. The amendment now requires that any decision regarding voluntary contributions be approved by the WDO board as well as the IFO. It's expected that the voluntary contribution provision will have limited use.

The last amendment recognizes the current Brewers Retail empty bottle return system. The Brewers Retail Inc manages its own packaging—or as we call them, empties—through a system independent of the municipal blue box program. This amendment exempts the Brewers Retail from having to participate and pay fees in a waste diversion program related to materials collected in their own system. This exemption is based on passage of a test to be specified in a regulation under the act.

Other comments received through the committee process will be addressed through the regulations and programs developed under the act. One area of comment was related to the blue box material to be included in the cost recovery program. If passed, it is the intention of the ministry that the materials listed in the designating regulation for blue box waste will be substantially expanded to address these comments.

1900

Some stakeholders also indicated that organics should be specifically mentioned in the legislation to ensure that this waste material is addressed. Let me assure the House that it is the intent of the government to designate organics and require the development of a waste diversion program for this material.

Further comment was made to the committee relating to the fact that a waste diversion program should focus on reduction, reuse and recycling, in that order, and that diversion targets should be included. Due to the broad nature of the wastes that the WDO will be developing programs for, it is not feasible to make this a legislative requirement. This will be specified on a program-by-program basis. Individual programs will also include diversion targets.

With regard to the 3Rs, let me again assure the House that the purpose of this act is to promote the reduction, reuse and recycling of waste. If passed, this legislation marks the first time in Ontario's history that industry and municipalities will be partners in creating a waste diversion system that will serve the province for years to come. If the bill is passed, the WDO's first task will be to establish a program to set and collect fees from industry to pay 50% of municipal blue box costs. This will ease the financial burden currently on municipalities and sustain and grow their programs.

I am also pleased to highlight the leadership role that the Liquor Control Board of Ontario continues to play under this initiative. As you know, since 1998 the LCBO has contributed \$16 million of direct funding to municipalities to pay for the cost of recycling alcohol beverage glass in municipal blue box programs. Under this initiative, the LCBO will contribute \$5 million annually to the municipal blue box funding program over the next five years, and also contribute \$1 million in funding to establish Waste Diversion Ontario.

I'm pleased to present this amended bill today to the House for second reading, and I'm confident that Waste Diversion Ontario will provide municipalities with the tools that they need to sustain and grow Ontario's very successful blue box program and help Ontario achieve its 50% waste reduction goal. I urge all members of this House to support its speedy passage into law.

The Acting Speaker: Further debate? The Chair recognizes the minister from Carleton.

Hon Norman W. Sterling (Minister of Consumer and Business Services): Lanark-Carleton, Mr Speaker. You forgot the most rural part of my riding. I wouldn't expect a Speaker of your stature, coming from rural Ontario, to forget Lanark county.

It gives me great pleasure to speak to this bill. Waste Diversion Ontario was first announced back in November of 1999 but was hatched or talked about prior to that time when I served as the Minister of the Environment for the province of Ontario.

The problem we faced at the time was a blue box program, a recycling program, which was going out of control. We had a situation where there was a huge amount of investment in the blue box program by the province—I think about \$250 million worth—and an investment by our municipalities as well into that blue box program. We came to 1996-97 and, being in a very critical financial situation, the province was no longer able to write a cheque to the municipalities to say to them, "We're going to help you along with the blue box program." We found that, in the existing recycling system and blue box program and in all of the recovery methods that we had at the municipal level, there was a great deal of crossover waste in their systems, and there wasn't a lot of efficiency there.

In fact, one organization looked at the city of Toronto as it then was. This was prior to amalgamation. They found that the city of Toronto could save as much as \$8 million to \$10 million with regard to their existing system at that time. And so it was brought to my attention that the blue box program was a great financial burden on the municipalities, that a lot of municipalities, because of the very, very lucrative capital funding that had been carried on before, got themselves into the businesses of recycling, of separating out the various different parts of the waste stream; that there were a lot of people who were in the business who shouldn't have been in the business; and that the plants that were trying to deal with the waste had not been able to run as efficiently as they could have because they didn't have enough waste. We had a lot of municipalities dabbling in this business instead of getting together in combined units large enough to make their ventures work.

We had too many transfer stations across our municipalities, and therefore there was great inefficiency in the whole system, so the government at the time looked at the various parts of it and said, "How can we derive better efficiency, and how can we make the producers of the waste directly responsible for the end product that ends up either in the garbage or in the recycling stream?"

So we created what I think was called the waste diversion board first, which then became the Waste Diversion Organization, and which now we're calling, I guess, Waste Diversion Ontario. The whole concept was that the minister or the government of the day would say to the Waste Diversion Organization, "We want you to drive to this particular target: 50% recycling of the waste stream. We want you to be involved in dealing with scrap tires. We want you to expand the efforts in terms of dealing with hazardous household substances and waste." The board, represented by the people who were producing the paints or who were producing the tires or were producing the newspapers, who were producing the waste, would sit at one end of the table, and the municipalities would sit at the other end of the table—the **people who** were responsible for implementing the program—and together they would work out the best way to deal with this myriad of different problems when you face so many different kinds of complex situations to deal with different kinds of products and to get the best end results.

Also, this bill, very importantly, gives this board the opportunity to, I believe, levy certain kinds of charges against certain different industries to ensure that the municipalities on the other end of the table get enough money to put a decent program in place and to expand the efforts of Ontario in terms of dealing with their waste stream.

The province of Ontario, when you look at other jurisdictions, has a very, very proud record in terms of recycling and reducing waste. I haven't seen the terms most recently, but I believe it's somewhere in the neighbourhood of probably 37% or 38% or 40%, and we're striving to get toward a 50% reduction in terms of the solid waste. A lot of that has actually occurred in the commercial and industrial sector, and a lot of the hope for further gains in this area lies with household waste.

This Waste Diversion Organization is trying to build upon the concepts we've had in the past: the blue box as a common collection system and trying to deal with the waste streams that come out and put them toward some recycling ventures where you can reuse or recycle those particular waste streams.

From time to time we've heard people talk about deposit return. We have deposit return, as you know, in our beer retail sector, and it has worked really quite well. That is partially because we have relatively few stores that are selling beer in Ontario. We have about 400 or 450 beer stores, and they have a very much automated system whereby a lot of product goes through and there are a lot of returns. They can go back to the plants and the bottles can be reused, washed out and refilled and those kinds of things.

1910

The problem is that if we went to a deposit-return system for other kinds of containers, we would be taking some of the most valuable assets out of the blue box container. Municipalities gain their revenue partially from the Waste Diversion Organization; they get some money from there. Waste Diversion Ontario is intended

to pay 50% of the cost of running the blue box program in Ontario. That's the goal they're to get to, and this legislation will enable them to get to that level.

But part of the money the municipalities get out of the blue box of course is from the sale of the products that are in the box. One of the most valuable products in the box is aluminum cans. If we took aluminum cans out and put them into a deposit-return system, we would take a great deal of the value out of the blue box. I understand in Barrie, for instance, aluminum cans make up some 35% or 40% of the revenue stream the municipalities get to support the whole blue box system.

When you look at that particular waste stream, if you start cutting out different pieces of what's in the blue box, pretty soon it's difficult to sustain the blue box in any form, because if they're just collecting glass bottles and newspaper, there isn't enough value to justify continuing the blue box. When you look at it in a global sense, what you try to do when you're running efficient recycling is get one collection system. Our one collection system is our blue box system, and then we take the various waste streams out of that blue box and send them on their way.

For instance, if we went into a deposit-return system, we would be taking some of the most valuable assets out of it, and it would really weaken the whole aspect of the blue box. I remember when I was the Minister of the Environment and looking at it that if you took the aluminum cans out of the blue box, you were in effect putting the first nail in the coffin in terms of dealing with the blue box, and I really don't think that the government or the municipalities want to abandon the blue box at this time.

Those who would put forward deposit return as the great saviour should also remember that the beverage container part of the waste stream is only about 2% or 3% of the total. Newspapers are about 16% of the total by volume and weight. In saying deposit return is going to be the be-all and the end-all (1) you weaken the blue box and (2) you've only taken care of 2% to 3% of the waste stream, a really small part of what you hope to recycle in terms of going forward.

One of the areas on which I hope Waste Diversion Ontario will work is the whole area of composting, which needs to be dramatically increased across the province. As well, there has to be greater effort on the part of municipalities like the city of Toronto to deal with their multi-residential homes, the apartments and the big condominiums, to try to get division of waste, which is hard to do because of the fact that some of these buildings were built long before the blue box system was in place or was even thought of as a good thing or the right thing to do. But there are rather innovative ideas to deal with that and different ways you can deal with dividing the waste up and getting some greater numbers into the recycling area.

One of the great supporters of the waste diversion organization has been the LCBO. That organization was the first to step up and write a decent-sized cheque to the

Waste Diversion Organization. I believe that last year they committed themselves to \$5 million, and they've committed themselves for two or three or four years for that same amount.

When the voluntary Waste Diversion Organization, which is the predecessor of this legislated waste diversion organization, came to divide up that money, I thought the way they divided it up was interesting. They didn't just write a cheque to each municipality on the basis of population, on the basis of assessment or on the basis of some other measure of deciding which municipality got how much. They actually looked at the figures of their recycling of glass, because that was the primary waste stream the LCBO was creating and therefore the money was divided to reward those municipalities that had done the greatest amount in terms of recycling their glass waste stream.

It's really an effort on the part of the waste diversion organization and the government of Ontario to improve the situation which we had with regard to the blue box, a blue box which was a great concept brought into Ontario by the Bill Davis government back in the early 1980s, which then matured and, as I mentioned earlier in my speech, there were a number of inefficiencies that crept in because of the very generous funding that was given to the municipalities, which sort of worked against their finding the best answers.

So we came to this kind of an organization. Now, this kind of organization exists in British Columbia at the present time. We looked at British Columbia in terms of their model. One of the problems with the British Columbia model of a waste diversion board or organization was that they made it very complicated. Some businesses found that the formula was so complicated in terms of deciding what each industry should pay into the organization that it was costing the organization much more to figure out what the check should be than what the cheque ended up to be.

This particular organization has been set up to try to keep a balance between fairness and practicality. In other words, if we're going to ask the grocery businesses, the newspapers, the hardware stores, the paint suppliers or the tire makers to contribute, we hope to make it relatively simple as to how that should be calculated, that it's not going to require a great deal of record-keeping in order to figure out what kind of a cheque to cut in order to support this organization.

I have a great deal of hope for this because essentially what we've done here is put the people who are responsible for the waste, the industries and the businesses, at one end of the table and the people who have to implement the system and take care of it, the municipalities, at the other end, with the government of Ontario acting as a supporter in terms of ensuring that there are goals set up and that goals will be met by this board.

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This organization has de facto been in place for I guess three or four years now—perhaps three years would be more accurate—and I think they have met with

a lot of success. There has been a lot of consultation done with the various industries on this. I know the newspapers were reluctant to write a cheque in the beginning and have brokered a deal with the Waste Diversion Organization whereby they would give in-kind advertising in their dailies to cover off their contribution. It doesn't really matter how the contribution comes, as long as it's fair among all the people who are involved in making waste and municipalities, in the end, get it.

The board is also structured to help the municipalities find the most efficient ways to deal with the waste streams, and so you have municipal politicians who are sitting at the table not only to make decisions, but to learn; to learn from the people in industries who often talk with other jurisdictions about how best to take care of glass, how best to take care of polyethylene film, how best to take care of newspaper, how best to take care of all these different products and do it in the best and cheapest manner possible.

I understand that there is considerable support in the Legislature for this organization and this direction that the government is taking. I am proud of the fact that I was involved at the initiation of this idea and continue to be a very strong supporter of it.

The Acting Speaker: Further debate? Comments and questions.

Mr John Gerretsen (Kingston and the Islands): I found the logic used by the minister extraordinary, to say the least. If I understood him correctly, he was basically saying that one of the reasons we don't have returnable aluminium cans is if we took them out of the blue box system and people took the cans back to the store, like you do your beer bottles and various other bottles, in effect, the contents of the blue box would not be an economic viability and couldn't be sold, then, by the municipalities. But surely the aim of recycling is to recycle as many of the materials as you possibly can, whether they're bottles, aluminium cans, steel cans, pop bottles, glass or what have you. To say that we don't want to recycle it because then the value of the blue box becomes less, to me is an absurdity.

Let the people of Ontario never forget the fact that this government cut off the blue box program. It basically said that the program will no longer exist. Yes, now some of the municipalities and some of the other organizations are coming back on stream and are saying that, yes, this bill is a step in the right direction, because you killed the program in the first place and half a loaf is better than none. It reminds me of so many other government programs we've seen where they've killed the program and then brought it back to a very small degree and all of the different interest groups then said, "Well, I guess it's better than nothing." Minister, it just isn't—

The Acting Speaker: The member's time has expired. Comments and questions?

Mr Kormos: In short order, in around one hour's time—it's 7:25 now—at around 8:40 or so, Marilyn Churley, the member for Toronto-Danforth, our environmental critic, among other things, is going to be speaking

to this bill with her analysis and indeed her critique about some of the shortcomings of the bill, but at the same time she will display her strong commitment and this party's strong commitment to waste reduction as well as recycling. I think waste reduction is perhaps—not perhaps; is as important a discussion as the matter of waste diversion.

But noticing that it is 7:25, let me say to those folks in the Toronto ward of Beaches-East York that they've still got time—they've got 35 minutes—to get out there. Municipal voters here in the city of Toronto have 35 minutes before the polls close. They don't close until 8 o'clock. It's an important by-election. They've still got time to go out there and cast a ballot for Janet Davis. I know Janet Davis. She is an incredible advocate for public services. I, quite frankly, have contributed to her campaign. I don't want anybody to hold that against her. But she would be an incredible asset to Metro city council. Her commitment to public services and her opposition to privatization of services is a commitment that we need very much here in the city of Toronto. I encourage folks in Beaches-East York to use this next 35 minutes to get out there and vote for Janet Davis. She is a strong environmentalist, one who has stood firm and will stand firm against privatization of services municipally, provincially and anywhere else. It would be a real breath of fresh air to have Janet Davis in city hall, and the people of Beaches-East York will do themselves well by getting out there and casting a ballot for Janet Davis before 8 o'clock.

The Acting Speaker: Maybe instead of rushing out there, if they would just wait for a minute, they would like to hear that the member's comments are toward the debate that is going on or the questions directed, and anything else would be out of order.

Comments and questions?

Mrs Julia Munro (York North): It's a pleasure to respond for a few moments to Bill 90, the Waste Diversion Act. I think all of us recognize how important it is to be able to come up with workable solutions. It's very easy to talk about possible opportunities that might exist, but when we look at this piece of legislation, it demonstrates the commitment of this government to look at what will work: clearly, the importance of having the stakeholders at the table, the various groups that are involved in helping to make sure that both the public and the private sector, that everyone understands the importance of looking at methods by which we may make those decisions to ensure that our environment is enhanced.

The funding stream is the centrepiece of this piece of legislation, and it demonstrates this government's commitment to making sure that we do have the Ontario for our children and grandchildren.

I would also like to compliment the former minister on his comments and the importance that he as well as other ministers of the crown in environment have placed on this particular part of the portfolio, and certainly want to congratulate him on his remarks this evening.

Mr Rick Bartolucci (Sudbury): I would like to comment on the comments made by the member for Waterloo-Wellington and the minister from Lanark-Carleton. It is very important for the people of Ontario to understand that this government collects \$40 million in environmental levies on products sold through the LCBO, but the government only allocates \$5 million a year of this levy for waste diversion. Only one eighth of the money it collects is put back into waste diversion. Although the government may talk a good game when it comes to diversion, the reality is that this is the same government that killed the blue box program. In essence, it killed recycling and reusing. I'm telling you that this government must understand the importance of this, but it's more important than simply giving words. You must give some resources, some tools to make sure that waste diversion takes place in a meaningful way. I would suggest to this government that rather than talking the talk, they walk the walk; they put the resources that are necessary to ensure that in fact there is an adequate waste diversion program in the province of Ontario.

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Bill 90 isn't the answer. With all due respect to the minister and to the member, it's not the answer because what you've given the people of Ontario is only a road map. You haven't given them the gas to get there. Therefore it's doomed to disaster because the reality is municipalities can not afford it. They need the resources from the province. I would suggest that if this government was truly committed to waste diversion, they would ensure that it has the necessary resources attached to this bill to make it work, to make it successful and to make Ontario more environmentally friendly.

The Acting Speaker: The minister from Lanark-Carleton has two minutes to respond.

Hon Mr Sterling: Briefly, with regard to the deposit system, when you collect a single can in a store or you return it to a store, it's a very costly process. There are health concerns in terms of that whole part of it. It's much more efficient to collect it along with the newspapers, the bottles and all of the other things in one collection system and then take that to one depot and then work from there. That's part of the saving.

The other part of it is the revenue stream which the municipality gets from collecting all of those things. The aluminium cans are as much as 35% of the revenue stream that the municipalities get. On the one hand, the opposition across are complaining about the resources going to the municipalities. The municipalities would get much less money if we took aluminium cans out of the blue box and put them into a deposit return system.

The government has never paid 100% of the blue box program costs. They have paid various different percentages as we have gone along. This whole bill is about the government, through producer responsibility, paying directly to the municipalities up to 50% of the costs of running the blue box program. That's what the bill is about. It's giving resources to the municipalities, giving the waste diversion organization the right to say to these par-

ticular producers, "You've got to be responsible and pay." That's what the bill's about. I don't know how you can be against that, how you can be against giving resources to our municipalities. I don't know how you can be against holding the producers who make the waste responsible. That's what this bill is about.

That's why you should support it. That's why I think it's a good piece of legislation, but it's a little different approach and I know that the Liberals can't think outside the box.

The Acting Speaker: Further debate?

Mr Gerretsen: Speaker, I will be sharing my time with the member for Sarnia-Lambton.

If you take the minister's logic to its ultimate conclusion, then why don't you do away with all returnable good programs, of beer bottles, of any bottles or what have you, and just put them all in the blue box because you'll get more for the contents of the blue box then. Surely that is a total absurdity.

It's a well-known fact that in any system where you've got a bottle or can return system, you get a much greater percentage of return, particularly if you put a deposit on those cans or bottles, than if it's just something that's disposed of in a blue box or in any other garbage system. To say, "We're getting the producers of these various goods and materials to pay for it now," and that that somehow is better than the current system that we have—and I suppose it is because right now the government of Ontario isn't putting any money into the system at all. We want a system that is government-controlled and that the government supervises on behalf of all the people of Ontario, not a system where the government wants to set all the rules but then have the rules and regulations somehow administered by the industry itself, and that's really what's happening here. That is really a total abdication of responsibilities.

I think if there's one thing that the people of Ontario have surely discovered over the last six years, it is that you cannot trust this government when it comes to anything relating to the environment. We can go right back to the beginning and look at how much money the Ministry of the Environment used to have under its control, the number of inspectors that it used to have in a number of different areas, and look at the situation now. They are the government that got rid of almost half of all the people who worked in the environment for the government when they started in 1995. They are the people who reduced the budgets of the Ministry of the Environment over the years by 40%. They are the government that, on an annual basis—it doesn't matter who the Environmental Commissioner is, whether it's somebody who was appointed by the NDP, as the previous Environmental Commissioner, Eva Ligeti, was, or even if it was a friend of the Premier's, as Mr Gord Miller is right now. You may recall that a couple of years ago at this time we had a great debate as to whether or not he should be appointed because of his close connections to the Premier. Of course he was appointed, but even he, in his last two

annual reports, has had some very scathing remarks about the environmental record of this government.

So when it comes to the environment, surely to goodness the people of Ontario will not trust this government. In exactly the same way, the people of Ontario should not trust this government when it comes to this waste diversion bill. From the comments we've heard so far from the government side, they have diverted things, all right: it has been a diversion of the real responsibility the government has in this whole area of recycling and reduction. They've diverted that responsibility either to the people themselves, without any government control or help, or to the industry itself.

But let me just take you back to the report that came out on October 2 this year. I cannot use the terminology that's used in the report itself.

Mr Bartolucci: Be gentle, John.

Mr Gerretsen: I want to be gentle, because I know that parliamentary language is of utmost importance, particularly to you, Speaker, who take such a great interest in this.

These are some of the comments that were made by the Environmental Commissioner in his latest report. I just want to highlight this because there is a close connection between that and what's happening in this bill.

It starts, for example, on page 48 of the report—and I'm giving people the page numbers in case they wonder, "Oh well, you know, this is just Liberal or Gerretsen propaganda." It's right on page 48. It's Gord Miller, the Environmental Commissioner, who stated this.

He states, "The Ministry of the Environment gave the impression with its six-point action plan that the ministry was going to overhaul its hazardous waste management regime. Instead, the Ministry of the Environment undertook only limited measures and misled applicants"—not my terminology, Speaker, because I know that that's an unparliamentary term to use, but I'm reading it right from the report itself—"and the ECO about the scope of its review. Actions such as these undermine public confidence in the ministry."

The Acting Speaker: We have a rule in this House that you can't do indirectly what you cannot do directly. So if there's unparliamentary language, you'll just have to do your censoring and get it out.

Mr Gerretsen: I appreciate your ruling, Speaker, and I will certainly adhere to that. I was only quoting exactly what the Environmental Commissioner said in his report. But I will not use that word again.

The Acting Speaker: I know what you were doing. It was wrong. We've talked about it, and that'll be enough.

Mr Gerretsen: It is rather unfortunate, just in a general way, that one cannot accurately quote from reports that are made available to this Legislative Assembly by one of our officers.

Interjection: Wasn't he the lapdog?

Mr Gerretsen: Yes, at one time some of our members may have said he was the lapdog—

Interjections.

The Acting Speaker: There are absolutely no rules in this House that allow you to do that, so if you would like to stay, you'll have to go by our rules.

Mr Gerretsen: Let me, then, just turn to some of the other issues that he mentioned in his report. He talks about the general enforcement of Ontario's environmental laws. I'm quoting him directly. What he's saying here is in purely parliamentary language. He states:

"There are significant continuing problems with compliance and enforcement. It is important that the public see consistent evidence of mandatory compliance in order to restore confidence in the ministry's ability to protect human health and the environment."

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When an Environmental Commissioner talks about restoring confidence, it means to me that even he acknowledges that at one time the confidence was totally destroyed. It has been destroyed in the ministry because of the lack of funding, the lack of manpower and the fact they took back all the money, withdrew it from the blue box system.

What does he say on page 94 on recycling and waste diversion, to bring it directly back within the confines of this bill? He states, "Ontario is lagging behind other provinces in achieving its waste diversion targets"—not my words; his words.

Mr Bartolucci: That's their appointee.

Mr Gerretsen: Yes, he was their appointee. They rammed him through the House, when traditionally the officers of this assembly, of whom we have the Ombudsman, the Provincial Auditor, the Environmental Commissioner, the Information and Privacy Commissioner, and the Integrity Commissioner, have always been appointed as the officers of this assembly on the basis of consensus. Regardless of how many members a particular party had in the House, it was always done on a consensus, because they are the people who relate directly to us. This wasn't done with this gentleman, and yet he now, two years later, is very critical of this government.

Just to take it one step further, in my extensive research into this bill a little bit earlier today, we talked about what kind of blue box diversion is done in other provinces. It's fascinating: Quebec, 65% waste diversion; Halifax, 65%; Edmonton, 65%; even Guelph, 55% of its garbage is diverted. So it is possible if governments—local governments with the help of provincial governments—put programs in place where we really place a large emphasis on that.

What do we do here in Ontario? In Ontario itself, what percentage of our total garbage do you think is diverted? Only one third of our garbage, 33%. In Toronto, as a matter of fact, it's only a quarter of the garbage.

This brings me to another point. I have a great respect for the minister from Lanark-Carleton. As a matter of fact, we live in the same apartment building. So when he talked about large apartment buildings and about the fact that in large buildings you cannot have any waste diversion, I sort of thought to myself, I know that in our building, which has about a thousand apartment units, on

each floor they've got a little room now set up where you can put your newspapers and your glass and your cans and everything else you want to recycle.

Mr Bartolucci: I'm sure the minister does that.

Mr Gerretsen: I'm sure he does that; I'm sure he's a very good tenant. I've never heard anything bad about him when it comes to things like that.

What is this problem in large residential buildings of people not being able to recycle? I don't know what the problem is. Just because it hasn't been done before in some of the buildings doesn't mean you can't put that in place. He made some comments about that as well.

Mr Bartolucci: I'm sure he's doing that right now.

Mr Gerretsen: I'm not sure whether he's doing that right now. I don't want to get personal because I have a high regard for that individual. But to primarily say that in some cases it's a good idea not to recycle, which is really what he said, that we don't want to get into an aluminum can deposit-return system because the value of what's in a blue box will somehow diminish—

Mr Bartolucci: I don't think he meant that actually.

Mr Gerretsen: You're saying he didn't mean it.

Mr Bartolucci: I hope he didn't mean it.

Mr Gerretsen: I think he did mean it, because I questioned him on it and he came back with the same response.

Let's deal with the bill itself.

Interjection.

Mr Gerretsen: No, it's not unusual. I always deal with the bills and I look at them section by section.

What's interesting is, I know the government will say that AMO and various other organizations have come on board, and basically, "What's wrong with you people in the opposition? Why aren't you coming on board? Why are you always against everything we propose?" You've had such a tremendous habit over the last five to six years of destroying programs completely, getting rid of programs completely, and then bringing back a little bit and saying, "OK, we can now all work together," and then somehow having the different interest groups believe that you're really doing something. The interest groups will say, "Well, something is better than nothing. We didn't have a program before because you destroyed it, so I guess having any kind of program is better than nothing. So thank you very much. Let's work with that." That has been your common approach to many of these problems.

Let me just turn to something else that is in this bill. I found it interesting that even one of the leadership candidates in the current Conservative leadership debate—this is the softer, kinder Ms Witmer, who believes that everyone can be soothed back to building up a consensus and getting along with one another. Let me tell you, I agree with that kind of approach. I think it is much better to get along with one another and build toward a system that everyone in Ontario has some input into because that way we build a better society. I'm absolutely convinced of that. It's much better than causing division and strife in our world. By doing that, we are not creating anything of a positive nature.

What did Ms Witmer say? She said that it will be very difficult for industry to develop a system to determine how each will pay their fair share. You heard the minister earlier today say that once we set up the waste diversion organization, somehow all of these members representing different industries will be able to work it out among themselves as to what each industry will pay, what each municipality will pay. Of course, they won't have any say as to what the province will pay because the province will put very little into it. The province is just sort of hovering there as an overseer. It's not really involved except—what does it say in section 4?—to “monitor the effectiveness” and efficiency of the programs. That terminology indicates to me that you don't really want to be involved. You're just there to see how the other organizations or parties that are involved in the process are doing. To me, that's a very lame-duck way of doing things.

Even Ms Witmer, as late as June 27 this year, in the *Toronto Star* said that she doesn't think that industry will develop a system to determine how each will pay their fair share. If she, the consensus builder within the government, of all the leadership candidates who are running, can't see that happening, how can the other people—and many of them are much more divisive than that—ever see it happening? No, it's again the typical government policy of trying to make it sound good. You've got great spin doctors. I'll give you total credit for that. You've put a tremendously good spin on it but you're not really doing anything at all.

Earlier my seatmate had already mentioned, and the minister talked about, the great contribution of the LCBO, that they put \$5 million toward developing different initiatives to reduce waste. I say congratulations to them; they've put in \$5 million. But what he didn't say, and what you may recall the member for Sudbury said, was that \$40 million is actually collected, that the LCBO collects. They collect \$40 million a year on the LCBO environmental levy. So they collect \$40 million and they only spend \$5 million. Think about it. The LCBO collects \$40 million from an environmental levy, from all the various people who buy their product from time to time, and they only allocate \$5 million. I guess the other \$35 million goes into general revenue, not the purpose for which it was intended at all. This is another great disappointment the people of Ontario will have to live with. It certainly is discouraging.

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I say to the people of Ontario, look at this government's record. Look at the budgets we have seen over the last four to five years. Look at what has happened in Walkerton. The jury is still out and the final report hasn't been delivered yet by Judge O'Connor. It will probably happen in the next three or four months. Undoubtedly he will come up with a number of excellent recommendations. But I think there's one fundamental point that has to be stressed, and that is that the likelihood of a Walkerton kind of situation happening if the whole water inspection system had not been privatized or if we still

had the same number of highly qualified inspectors working in that, so that the water systems not only in Walkerton but elsewhere in the province would be looked at and inspected on a more constant basis—then, yes, I think everyone can come to the conclusion that the kind of tragedy we had in Walkerton could have been diverted.

We don't have to look only at the water situation. Look at what's happening with the food situation. I found it tremendously distressing when the Provincial Auditor, a man for whom I, and I know all of us in the House, have the highest of respect, because he's an independent person employed by this assembly—he doesn't work for the government, he doesn't for the opposition and he doesn't work for the third party. He works for this assembly as a whole. He goes in and audits the various programs in the various ministries from time to time and makes recommendations, and then hopefully the public accounts committee will work with those recommendations and come up with a report that will be implemented by the ministries. I think it's a very good system, over all, that has been put into place, with that kind of independence.

What did he say about food inspection in this province? He basically said that we cannot rely on the fact that when you and I eat our food on a daily basis—that food may not have been inspected properly, and that in situations where he has made recommendations to the various slaughterhouses, to the various milk producers, to the various produce producers, to change their ways of doing things so that the contaminants, the antibiotics in the milk, the chemicals in the fruits and vegetables could in effect be diverted to a much greater extent, making it safe for human consumption, that when he has made suggestions about improvements in those areas, a year later a lot of the recommendations he made still weren't implemented.

That doesn't give me any great satisfaction. I'm sure there are an awful lot of people out there who feel exactly the same way. Surely what we owe ourselves in the modern, highly developed society we have here in Ontario is that the water we drink and the food we eat is safe for human consumption. That surely is the first criterion. I bet you that up until four or five years ago we never even thought about that. We thought it was a given. We thought that was one thing that was an absolute given: that the Ministry of the Environment or the Ministry of Agriculture, whatever ministry was involved, was looking after us in that regard. That has nothing to do with whether you believe in less government or more government. We were of the belief that if you used those products, and we all do on a daily basis, they were properly inspected and there wasn't any danger in actually eating or drinking some of these products.

So when it comes to this kind of bill, yes, there are some good parts in it because the way the state of the law is right now, and with the lack of money the government puts into waste diversion programs and the recycling program, sure, it's better than nothing. But is it good

enough? What we of course are afraid of is that if we let government off the hook, as it were, if we just say to this ministry, "Yes, this is a good bill and we'll pass it. We'll set up the new waste diversion organization and we'll appoint all these people and you can be the overseer," that somehow is good enough, because then it will be an issue that will probably be forgotten over the next number of years. We don't think that's good enough. We want to make sure our recycling and waste reduction programs here in Ontario are not the worst in the country, but are the best in the country. These kinds of programs that are suggested in Bill 90 just aren't going to do it.

Now is it going to cost us some money to do that? Yes, it probably will. Will we save money in the long run because there is less garbage being put in our landfills or disposed of in other ways? Absolutely. I think the problem with a lot of these programs is always that perhaps we just don't see that initial return. What we have to do is look at that initial money that we have to lay out as an investment in the future. It is no different from the education money we spend on the young people in our society. It's an investment in the future. Is it an expense today? Do we have to pay for it today? Obviously, but do we get a greater return by giving more and more people the opportunity to get an education by starting education at a much earlier stage with the early childhood development? Absolutely, because study after study has indicated that for every dollar you spend on a child in early childhood education, 20 years down the line you save \$7. So the investment, not only from a human point of view but from an economic point of view, makes total and absolute sense.

It is exactly the exactly the same way here. If the government had really taken the lead in these kinds of program and said, "We are going to be the frontrunners. We are going to make sure that within five years or 10 years from now we are going to be just as good as what Halifax and Edmonton are doing on a municipal basis right now, and throughout the entire province our goal is that we're going to rechannel 65% of our waste into a recycling system rather than the 33% that we're doing right now. That's our goal, and we will put policies in place throughout this province together with the municipalities, and yes, also together with the industries that are involved in these various areas that are producing a lot of the waste materials. But we will set that as our goal and work toward it," then it can happen because in government anything can happen if there's the political will to do that. The political will is totally absent from this bill, because what this bill is doing is leaving it open to industry and saying, "Yes, we will monitor what you're doing and we might change from time to time some of the things that you come up with."

It's kind of interesting that the minister has the final say over the policies of this organization and has the final say over what new policies it wants to see the organization implement, but it has absolutely no implementation power. The reason for that is that there's absolutely no financial backing behind it, and that's the whole problem.

There is no financial backing to really have an act that is effective in the promotion of the reduction, reuse and recycling of waste. Our municipalities are looking to that, because there is no greater problem that municipalities face in this day and age—and it was the same thing when I was involved 10 or 15 years ago, or even longer ago than that now in some cases—than dealing with waste disposal. It is an issue where I think at one time, oh my golly, there must have been about 50 different studies going on across Ontario and the only people who were making any money on it were the various consultants.

I've often felt, and I'm still throwing this out, that it's really up to the province to pick 10 or 12 landfill sites across the province and start operating those sites, that most municipalities simply aren't in a position to do that. They don't have the economic wherewithal, and why should they all be in competition with one another?

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Now, I know that this is not a very popular thing. It may not even be very popular within my own caucus or within the population at large. Why should government take on a so-called political hot potato when it's better left with the local governments? I know all the arguments, but I can tell you that in the long run it's the only thing that's going to work, if the government states, "Yes, we are going to be responsible for the garbage disposal in this province." Once that happens, then it will be in the government's own self-interest and, as a direct result, in the taxpayers' own interest to get much more heavily involved in recycling and reusing. But until that happens, if it is not in a government's best interest to do that, it simply won't.

In the last minute or so that I have left, I would just ask this government, withdraw the bill.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Oh, sure.

Mr Gerretsen: I know the minister of long-term care is very deeply concerned about the community care access centres clear across the province that you are now going to take over, where now you're going to be completely in charge by putting all the members on by orders in council and the executive directors are going to be appointed by orders in council because somehow that's going to make the system better. You and I know that the only thing that will make community care better in this province is more resources so that the people who come out of hospital sicker and quicker can be helped in their homes.

I know she's saying, "Here they go again," but those are the real issues that you and I hear about, and it's exactly the same thing with this kind of bill. It's better than nothing, because right now we've got nothing, but it could be so much better. I say, people of Ontario, don't be fooled by a bill like this, because it isn't doing anything. It is another public relations exercise by this government in which they somehow make it look as if they're doing something, but they're not doing anything at all.

With that, I will now turn over the balance of our time to the member for Sarnia-Lambton who, as a former municipal politician, I know is deeply interested in this subject.

Ms Caroline Di Cocco (Sarnia-Lambton): I have to say that the member for Kingston and the Islands certainly made a number of salient points regarding the flaws inherent in this bill. As I went through Bill 90, the Waste Diversion Act, I looked at it and I renamed it the Government Diverting Responsibility Act, because basically that's what I believe it is doing with this bill.

This bill, the Waste Diversion Act, is providing a mechanism whereby the private sector will support some of the municipal recycling, but the waste diversion program itself is not going to provide any new provincial funding for this initiative. So, like many of the initiatives that the government has brought forth, it has the idea but then it says someone else pays for it. That's how it deals with environmental matters that are, in my view, very serious.

The Ontario Liberals looked deeply into this bill. When we were discussing the need for a waste diversion program, we felt that it required a substantive bill, substantive in that it would actually provide resources for the other half of the diverting program. You have to remember that the Harris Conservative government actually got rid of all of the recycling programs that existed in the municipalities, so now they know, because we have a crisis across the province, they have to deal with the recycling aspect and the diverting of waste, but they don't want to put any money into it. They just want to say, "We'll find a way for the private sector to pay some of it," and of course the rest of it still comes out the municipalities' pockets. In the end, we know there is just one taxpayer anyway.

I have to say that when it comes to this bill, there are areas, such as Halifax and Edmonton, that we know and as the member from Kingston and the Islands pointed out, that are diverting more than 65% of their garbage from landfills. That doesn't happen overnight. I would say we are very much in the Dark Ages when it comes to environmental thinking in this province in some ways. I say this because of my own involvement locally in Sarnia-Lambton, trying to deal earnestly with a situation with hazardous waste landfill and incinerator, all my attempts to address it in a substantive way, in bringing out the facts and making the ministry aware of the issues of all this waste being diverted into Ontario from outside Ontario, and also the fact that one of the reasons it is being diverted into Ontario is because our regulations are so lax.

On the one hand, I see this Bill 90 that's purporting to deal with recycling, and yet on the other hand I see the actions dealing with hazardous landfills and with the incinerator. I have a real problem trusting the intent of this bill, because I know that action—or lack of action—when it comes to hazardous waste certainly is not a priority at all for the government.

One of the things we have to remember about good environmental policies—and I believe that's what waste diversion is all about. It's like putting money into a very sound investment that will have incredibly strong economic returns long term. When it comes to landfills, such as Safety-Kleen in my riding, what we have there is a way of dumping hazardous waste that is certainly not up to United States standards, because in the United States they actually treat the waste before it's landfill. What we do here in Ontario is simply dig a hole and you dump the hazardous waste into the dirt, into the soil. You think about the long-term implications of cleanup in that area—

Mr Dave Levac (Brant): They would have been shut down in the States.

Ms Di Cocco: Exactly, as the member from Brant said. In Detroit one of the similar landfill operators told me, "If we treated waste the way you do up in Sarnia, we would be jailed." That's what they told us.

We're talking about diverting waste and we're talking, I believe, about investment in our environment. That's what it means. Yet I see the actions which speak exactly to the opposite of that. We have a landfill operator who deals with hazardous waste, and we're bringing it in from all over the world. What happens is that we have this lack of financial security that is not required. That's another issue. We make it very easy to dump hazardous waste in Ontario because that landfill operator, who is making millions of dollars by bringing this waste from all over the world, has only got—I think it's about \$2.5 million in remedial cleanup. At a very similar project in South Carolina, they have to put up front US\$60 million, plus another US\$130 million for cleanup, and it's smaller than the site that we have in Sarnia-Lambton.

If you compare the jurisdictions and how much further ahead we've moved in other jurisdictions and how many steps backwards we have taken in this province when it comes to our environment in all areas, again I have to say that although this waste diversion bill has sort of an inkling—certainly the title is hopeful—in my view the government, until it puts its money where its mouth is, certainly does not show that it has the goodwill to actually proceed and do something substantive when it comes to our waste diversion.

2010

I don't understand: the aspect that I find quite abhorrent, actually, is the fact that we already have a way of collecting \$40 million vis-à-vis a special program under the LCBO. Other members in this House, including the member from Kingston and the Islands, have spoken to this. Here we have the LCBO, which collects over \$40 million a year on environmental levies. I believe that if a government had the will to actually deal with the issues of recycling and the issues of waste diversion, it would not allocate only \$5 million of that. That's one eighth of the total amount that is collected for waste, for their environmental levies. Only one eighth of that money is actually going into waste diversion. There's something wrong there.

They say, "We're going to bring in Bill 90, which is called the Waste Diversion Act, and we're going to require that there's some funding from the private sector." They're creating this new organization, Waste Diversion Ontario. That's what they're creating. Unfortunately, the bill does not have anything that suggests that Waste Diversion Ontario is going to actually pay any substantive amount of money toward this initiative. So even the organization that's being set up doesn't have the legislative authority, in this case, when it's set up and moving, to actually provide the extra needed dollars to the municipalities to make up the difference. So it's developing an organization. It has the right name, but doesn't have the right tools, in my view.

As well, I want to talk about the goodwill, or lack of goodwill, that the government has when it comes to waste disposal. In the case of health and safety, one of the things that I did as a member was ask the government in its wisdom, the Ministry of the Environment, to review the certificates of approval of the landfill in Sarnia-Lambton because we felt—and we gave a great deal of evidence supporting our case—that there could be a potential harm to the environment and that there was a potential health risk to the people in the area. By the way, the Ministry of the Environment totally dismissed our application.

One of the other things that we did was ask the commissioner of the environment to review the responses and to review the submission. To my surprise, the commissioner of the environment agreed with a number of the submissions that were made and disagreed wholeheartedly with a number of the responses that were provided by the Ministry of the Environment, which leads me to believe that the Ministry of the Environment—I don't know if it's because of staffing or if it's because of the lack of political will for it to do its job—actually totally disregarded—well, I won't say disregarded but certainly didn't accept—our application for review of certificate of approval.

One of the things I found out in this process was that the incinerator that deals with hazardous waste is about 20 years old. It's not been updated in over 20 years and the standards that have been applicable since 1995 for non-hazardous incinerators are not applicable in this hazardous incinerator. It has less stringent standards than an incinerator that is burning hazardous waste, and it's emitting huge amounts of mercury, dioxins and furans. I can go on and on, and yet we see no action to change the rules, to upgrade the rules, to raise the standards, so that this incinerator will stop or at least minimize the impact of what was coming out of that stack. This is how we're dealing with waste in this province.

There was a vapour release that was investigated at this incinerator and six of the workers were taken to the hospital during this incident. One of the things that the manager of the incinerator stated was that although the tank contained a variety of solvents, herbicides and other chemicals, the company had determined that the escaped gases were below regulatory limits and posed no long-

term health risk to workers. This is what they said, but we have to remember that the standards imposed on this incinerator are 20 years old. We haven't updated them. We're going to be waiting another six years before we are going to ask this incinerator to comply.

It says here that these stringent standards—called Canada-wide standards for air emissions—which would be even more stringent than US standards, would be applied to the incinerator by 2006. We're in 2001. We are emitting fumes from that incinerator at a standard that is 20 years old. I think it is criminal. I think it is criminal because we do it with the knowledge—with the scientific understanding and health technology—that it is going to impact on people's health, we know that it's going to impact on the environment and yet we don't have the political will to change the standards so that we can at least minimize the impact in that area. No, we continue to do the same thing we did 20 years ago. It makes me wonder why. I don't understand why. It isn't as if the government hasn't been made aware of what's been happening there. Of course they have. I'd like to know where the ministerial responsibility is.

Where is the conscience of a government which is supposed to be here? The role of government is to protect our health and safety. That's its role. Yet I've brought this to its attention as the member of the Legislature over and over again since 1999. I remember meeting with Minister Clement, and I certainly sent enough communiqués to Minister Newman. I have also been doing the same thing with Minister Witmer. I am still really surprised at the fact that we continue to do business exactly the same way, even though all of these issues have been brought to their attention. So you'll have to excuse me if I don't buy into this Bill 90 on waste diversion, because I can assure you that the political will, or lack of political will, shown to do anything about the largest toxic hazardous waste site in Canada and to deal with waste, if you want to call it landfill and incinerating of hazardous waste, I have to say I have very little faith in the will or the intent of this bill, except to be seen as doing something but in actual fact it's not doing anything substantive.

2020

In my quest to try to get my serious issue in my riding for the sake of the health and safety of that area, the response that the commissioner for the environment provided with regard to the certificate of approval indicated that basically a number of their responses from the ministry were not accurate. It makes me wonder: why are they not accurate? Why is it we consistently have to spin or have to word things in such a way that it diverts responsibility?

It's one thing when one doesn't understand what the problem is or one does not see what the right thing to do is, but when it is made very clear what the right thing to do is and it isn't done, then it makes me wonder what the Ontario Conservatives' real political will is regarding our environment. We have a very sad and tragic legacy as to not only the lack of will to change the rules, but also to

requiring change in legislation. They've changed the legislation, and on the other hand they did not even consider the risks in changing legislation. Of course that takes us back to that tragic legacy at Walkerton.

I'm going to stay on this, because it is waste and it is hazardous waste. One of the responses I got about the incinerator at Safety-Kleen was that the response from the ministry, as it carried out its review, said that we did not need the review and that the report was unsatisfactory. This is what they stated. The commissioner, on the other hand, said that the 1998 amendments to the incinerator—because there was some change to the incinerator—actually allowed an increase in contaminant emissions to the environment by approving an increase in the amount of waste incinerated.

So in 1995 we have the Conservative government come into play. What they have done in my area when it comes to our incinerator and our landfill is that they've actually increased the amount of contaminants by the change in the rules. They didn't eliminate it. I didn't say this, by the way. The commissioner for the environment did. It concerns me because I believe that the commissioner, as an officer of the Legislature, is an independent voice who is saying, "Take another look at this because this is serious. It is very serious." As a matter of fact he asks the question, because of the responses, "Who is in charge here? The ministry, or is it the company, Safety-Kleen?"

It makes me wonder, why are we risking people's health and safety? Why are we risking the environment, when we could easily be mitigating this? All we have to do is look at the rules. The facts are before you. The facts are before the government. The commissioner for the environment is saying that the issue of the incinerator, of incinerating this hazardous waste, is allowing—in 1998 you didn't change the rules for the better, even though that's the way it was sold to the community, that the rules were going to improve how clean the air was going to be out of this incinerator. Instead, as the commissioner said, your amendments in 1998 actually allowed an increase in contaminants.

I'd like the members on the government side to know that is the highest quantity of mercury being emitted out of that stack in Ontario, if not in Canada, yet it doesn't matter how many times I put the evidence before the government. Over and over again they ignore dealing with it.

I used the only other venue I had and asked the commissioner to review all this, and he did. The answer he provided certainly went in favour of the applicants, which was us, and we should be reviewing the certificate of approval and, yes, we should be changing the rules for the health and safety of the people in that area. Yet as I said, the government sits silent on changing any of those rules.

That's the reason I do not buy into this waste diversion bill, Bill 90. If they can't take care of things that are this serious when it comes to hazardous waste—and also, of all the 50 states and all the 10 provinces, Ontario is the

only jurisdiction that has not got regulations to treat hazardous waste before it is landfilled.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): The only one?

Ms Di Cocco: The only one left.

Mr Gerretsen: There's got to be another one.

Ms Di Cocco: No, there isn't. The only one.

Because it's cheaper that way, guess what? All the generators of hazardous waste will come, guess where? To Ontario, because Ontario is the cheapest place to dump hazardous waste.

There are so many good regulations that we could emulate here, that we could deal with. They created the largest toxic waste landfill in Canada, in St Clair township, yet we don't have the rules to deal with it. I hope they can sleep at night knowing it doesn't matter how much evidence I put before them, or the Ontario Liberals put before them, to deal with this serious matter, and it is serious. How can I expect that they really mean what they say about waste diversion?

This is very simple. We're all, as I said, in the Dark Ages when it comes to the way we treat waste and the way we treat toxic hazardous waste in this province. The price that's being paid is by the residents, and long term is the cost to that whole area to clean up that mess once this company shuts down. Guess who's going to pay the bill at the end of the game?

Mr McMeekin: That one taxpayer.

Ms Di Cocco: That's right, that one taxpayer. Why? Because we have a government that is silent and indifferent to the long-term consequences of the toxic landfill.

I have heard it said very often that politics is the art of possibility. The art of possibility means we have the hope that we can make a better future for tomorrow. Guess what garbage is all about? Handling garbage properly today, whether it's non-hazardous garbage or hazardous garbage, is the legacy that we leave to tomorrow.

From all of the work and research I have done in trying to understand my area, and have tried to bring to this government, when it comes to this landfill that's been treated, by the way, quite differently from any other non-hazardous landfills in the province—I still can't understand why. The question, to me, always is, why? This is a no-brainer. It's good economics. It's about holding accountable the company that is dealing with this waste. It's about protecting public safety.

2030

Again, it's a no-brainer. I can't understand why the government can't deal with it. Obviously, I know one of the reasons, and that is that there's no political will, or maybe there's no understanding. Maybe they truly don't understand the long-term impacts, or why would they not at least bring our regulations up to the standard of the rest of the continent of North America? That's what I would like to know.

This Bill 90, which is waste diversion, in my view is poorly thought out. We have seen how some ideas that sound as if they are good ideas but that are not well thought out create a lot of problems.

Mr McMeekin: If they just took the time.

Ms Di Cocco: That's right. If they took the time to actually think this through and then put some money where their mouth is, then we would have a substantive bill.

I have to say that I know the response of the Ontario municipalities has been mixed, but the devil is always in the details. Until we enact legislation, sometimes you don't understand what the impact really is going to be. I'm hoping that even though this is flawed—it is definitely in my view a flawed bill. If the Ontario government would even say, "Look, we're collecting this \$40 million from the LCBO. To show good intent in this waste diversion, we are going to expect the private sector to support 50% of the cost. And you know what? We're going to take that \$40 million from the LCBO, we're going to take the \$40 million from this environment fund, and we're going to put it all into this diversion program, because we mean what we say," that to me would be a sign of real intent.

Rhetoric is very easy; it is the actions that count. It's important to me, whenever I qualify someone's intent, that I look at the track record. I look at the track record of action, and unfortunately from what I've seen when it comes to environmental issues, particularly landfill, I see that the actions don't follow the words.

The Acting Speaker: Comments and questions?

Ms Marilyn Churley (Toronto-Danforth): I'm pleased to respond briefly to the comments made by my colleagues from Kingston and the Islands and Sarnia-Lambton. I will be speaking more fulsomely in a few minutes, but I do want to tell people briefly what's missing from this bill.

Interjection: Tell us.

Ms Churley: I'll tell you, and you should listen, because you're going to understand when I speak later what problems we're facing in this province and how this bill doesn't address them.

It doesn't address a phase-out of organics from landfill with a clear and binding deadline at which those organics could be banned. That would remove the main source of toxic leachate from landfill and it would turn it into a usable product.

There's no support for new technologies. There are entrepreneurs right now, we realize, who are testing processes that can compost and recycle unsorted garbage. They need government support so they can get on with that and move much more quickly to diversion targets.

We need tough packaging regulations so manufacturers don't give us so much waste with the products we buy, mandatory deposit-return systems for soft drink and liquor bottles—only the province can put that into law—and funding so that municipalities, already fighting the downloading burden placed on them by this government, don't have to bear—they in fact cannot bear—the costs of introducing these sophisticated composting and recycling systems that are in place in other jurisdictions and that are required.

This bill before us today deals very specifically with a funding need that we all recognize is badly needed by the municipalities, because this government stopped the provincial funding of the blue box system when they came into power in 1995. There had been provincial funding before that. We recognize that there needed to be a process worked out with industry. I support that. But you stopped it and only now are coming forward with a flawed plan which is not going to work.

Mr Arnott: I am pleased to have a chance to respond very briefly to the members for Kingston and the Islands and Sarnia-Lambton. I listened to their comments and I appreciated their intervention in this debate. I heard much criticism of the government's overall policy in terms of our environmental strategy and so forth, but I didn't hear very many constructive suggestions and ideas that we might be able to put to good use. But we appreciate your contributions nonetheless.

I think the New Democratic member who spoke just before me hit on a very important point too. In my capacity as parliamentary assistant to the Minister of the Environment, I had an opportunity to meet with quite a number of municipalities at the AMO conference this summer. Many of the municipalities that came to see me were very concerned about the need for this bill to be passed soon and quickly. Certainly we all support that, I think. I would hope, in the context of the debate tonight, that members keep that in mind. The municipalities are asking us to pass this bill immediately if possible, so as to deal with their funding pressures in terms of their recycling program.

Again, I would implore all members to keep that in mind as we are moving forward this evening, and hopefully we can get through the fulsome debate on this issue on second reading tonight.

Mr Levac: I thank the members for Kingston and the Islands and Sarnia-Lambton for their thoughtful presentations.

I want to share a couple of issues with the House; first of all, the actual reading of the bill. But before I do that, I've been taught a great lesson from the Six Nations that are right beside my riding in Brant. The First Nations people talk to us about the seven generations. The seven generations is a concept that says you must keep in your thoughts, your heart and your soul the seventh generation in front of you when you make decisions about today. So when we make comments about today and what's happening today, we must keep in mind seven generations ahead. What a wonderful concept to ensure we have a better world.

I want to read the title of the bill: An Act to promote the reduction, reuse and recycling of waste—the 3Rs. The purpose of the bill is "to promote the reduction, reuse and recycling of waste and to provide for the development, implementation and operation of waste diversion programs."

Here are some of the people who are in charge, who are going to be appointed:

Members are going to be appointed from the Brewers Retail of Ontario. In the bill it makes reference to them because of their wonderful record in teaching us how to recycle and reuse: 97% efficient, and they had to be amended into the bill because they weren't recognized as the group that they are. They are so efficient that they're 97% a closed shop and able to redo all of their waste, down to 97%. It's amazing.

A member is the Liquor Control Board of Ontario. Guess what? There is no mention of them after that. If that's not an opportunity for a closed system, nothing is. So let's get that one closed. I would offer that to the parliamentary assistant for comment.

Also, the waste diversion programs can't promote any of the following: the burning, the designations and everything else. They shouldn't be doing it in the first place.

I look forward to further debate on this issue.

Mr Kormos: Yes, this is a midnight sitting. We'll be sitting here until midnight every night this week. We'll be sitting here until midnight, I suspect, every night next week, and then the week after that we'll be sitting—so this gives all of us time to debate these matters. You are going to hear debate around this bill, Bill 90, from our environment critic, Marilyn Churley. In but two or three more minutes she'll be speaking for an hour. Then we will of course have an opportunity to hear more from the Liberal caucus, and we'll hear more from the Conservatives, and then we'll hear more from the Liberals, and then more from the Conservatives, and then you'll hear from the New Democrats. Then we'll hear more from the Liberals. Liberals have some 30-plus members. I'm sure all of them will want to speak to the bill. Of our modest number of nine, all of us want to speak to the bill. We won't all have the same hour that Ms Churley has.

Ms Churley: And I'm not sharing it.

Mr Kormos: And she's not sharing, not today. But all of us are going to want to speak to the bill, and that's on second reading.

So I don't want to disappoint the folks who are going to stay with us until midnight, and least of all do I want to disappoint Mr Arnott, whom I like. But no, Mr Arnott, no matter how nicely you ask—and you did ask nicely—you're not going to get second reading of the bill. If the government has this bill as a priority, the bill is surely going to pass third reading before Christmas. Now, mind you, whether or not you ever proclaim it is a different story, because you're acquiring a little bit of a reputation over there for being in such a hurry to pass legislation, then never proclaiming it. Peculiar, isn't it, Mr Arnott?

2040

So, you see, whether or not this bill gets third reading before Christmas is all up to the government. The government's going to have to manage its time here in the House, be a little more businesslike, I suppose. They're going to have to be more efficient managers of House time and they're going to have to start prioritizing. We'll see what that leads us to in short order.

The Acting Speaker: The member for Kingston and the Islands or Sarnia-Lambton has two minutes to respond.

Ms Di Cocco: As we're discussing who has to speak next here, one of the issues, in ending this part of the debate anyway, is that we have seen that in Ontario—I don't know if people know this or not—the population from 1995 till today has increased by almost 800,000 people in all of Ontario. That means, of course, 800,000 people are going to produce, as we know, more waste. That's just the nature of humans. What we have done, though, regarding waste diversion is that the government cut blue box funding completely—gone. So as we're increasing in population, they're cutting the blue box funding. It's a regressive policy. It saved them some bucks in the short term. What do they call it? Penny wise but pound foolish. Long-term, of course, it's going to cost us money.

Then we've got the fact that the LCBO has \$40 million that it collects. Nobody's disagreeing with us that they do collect it, and yet, as I said, only one eighth of that goes into the actual diversion program.

I believe one of the reasons we're rushing to get the bill passed is because of course we know, considering the track record of the current government, they need to have some environmentally sound bill, at least in name, that they can pass and say, "Look, we're environmentalists. We passed a waste diversion bill." But it doesn't mean it's going to continue.

The Acting Speaker: Further debate?

Ms Churley: This bill is not a waste diversion bill; it's a perversion of a diversion bill. It's a perversion of a diversion bill because it does just the opposite of what the title of the bill says, which is, An Act to promote the reduction, reuse and recycling of waste. As you can see, I've thumbed through this bill quite a bit and read all the clauses carefully and, as Mr Arnott would know, put in a lot of amendments, all of which the government voted against.

But I've studied this bill very carefully and have discovered that it is perverse, as Mr Colin Isaacs said when he spoke to the committee; that was his word, in fact. I thought it summed it up pretty well. When you read this bill and look at what it doesn't do, it really is a perversion of what it says it does.

The first point I'd like to make around that is—and I don't know if people recognize this, because this bill does, in its title, talk about the three Rs and the hierarchy. They got it right in terms of the direction it's going. But what people may not understand, and if you've read the bill you would see this, is that the only option in this bill—listen carefully to this—that costs an industry nothing is to continue having their materials go into a landfill or incineration. That is the only no-cost option available. Then the second option after that—well, just think about that one for a minute. If that's the only no-cost option, what kind of inducement, incentive, is that for industry to come on stream? For those who are already on, it's a disincentive to stay there and an incen-

tive to change their packaging so that in fact they don't fit into these criteria any more, so they pay nothing to have their packaging sent for free to the landfill. That's exactly what this bill does. So the second option goes into a cost-shared program with municipalities for recycling, and that costs something in the order of 50% of the cost to the industry. But the disincentive to come on stream is there.

I want to take a moment on behalf of all of us in the Legislature. People may not be aware, but Shelley Petrie, who is the new executive director of the Toronto Environmental Alliance, recently had a very serious bicycle accident. She just took over from Lois Corbett, and as you know, the Toronto Environmental Alliance worked very hard on this bill. I heard about this just last week, when we were having our second day of hearings, that she had fallen off her bicycle and broken her pelvis in, I was told, three areas and is going to be out of commission for some time. I'm sure I can send her best wishes on behalf of the entire Legislature and let her know that we're thinking of her and wishing her all the very best and a speedy recovery.

Having said that, I want to thank the Toronto Environmental Alliance for their help in the analysis of this bill. They certainly, through Mr Gord Perks and Katrina Miller, put a lot of work into analyzing this bill and came forward, and the entire committee heard their critique and their position on this bill. I presume that people aren't going to be surprised that I agree with their critique, which is why, after reading their submissions and Mr Collin Isaacs's, and AMO's in fact, I put forward some amendments which the government turned down.

You have to understand that of the rule changes the government made when they made these odious rule changes that most of us did not support, at least on this side of the House, one of the ones we did support was the concept of taking a bill out for public hearings so that after first reading there's an opportunity for the entire committee to hear the critique of the bill before us, to make amendments and bring it back into the House with those amendments made. That's what we did with this bill, and I supported that: take the bill out and hear from groups out there, organizations—AMO and others came forward—and be able to come back in the House, discuss it and then, if necessary, take the bill back out to committee. You can do that after second reading, after everybody in the Legislature gets to hear the critique. When bills go to committee, as you know, Speaker, only a very small group of people hear the problems and hear the amendments and know which ones passed and which ones didn't.

So it's my responsibility tonight to tell people what I, the Toronto Environmental Alliance and the OEN believe are problems with this bill and what can be done about it. There is always the opportunity, if people agree with me, to take the bill back. That's the idea of taking a bill out to committee after first reading: so you can again, after debating it in the Legislature, take it back out for committee hearings after second reading.

It's something I would like to do, but I have become convinced that the government is not going to listen to my suggestions for amendments. That was made very clear. The parliamentary assistant, as much as we all like him and nice as he is, came prepared with Ministry of the Environment notes all written out for him with sometimes plausible explanations as to why he, or the government side, wouldn't support my amendments. But sometimes they didn't make any sense whatsoever; it was just very clear that they already had their minds made up.

I would like to have another kick at the can on this, but I do have to say that I understand that AMO, the Association of Municipalities of Ontario, all the municipalities out there and politicians from all stripes at the municipal level want this bill passed, and they want it passed quickly. I know that members from the Toronto Environmental Alliance would like us to have the opportunity, and they asked me to do that, to make sure that the bill goes back to committee so we can have further discussion about those amendments.

2050

I have to tell you that I'm not going to block this bill. Members of my caucus all want to speak to the bill. We will go through the process; that's why we're here, to have this discussion. This is the first opportunity since we met, read the amendments and put forward the amendments that we've had an opportunity in this House to discuss the bill.

But there is, I put it bluntly, a tremendous amount of pressure on me and my caucus, as I know also on the Liberal caucus, to let this bill move forward quickly. I know the government would like to see it passed tonight. That's not going to happen because members from my caucus do want to speak to it. That will happen, but I want to say that we will not go out of our way to block it. We will not ask to have it brought back to committee for a further kick at the can at amendments although, as I said, personally I would like to do that.

I understand the concern being expressed by the municipalities, because since the Harris government cancelled provincial funding in 1995, they haven't had any. You combined with all the other downloading from the Harris provincial government their having to pick up the full costs of the blue box program. I understand that AMO and the municipalities are very anxious to have something. That's typical around here. You give organizations and groups and people and communities nothing for long enough that a few little tidbits thrown their way is better than nothing.

My friend Rosario Marchese sat on committee for me, because I believe I was doing the nutrient management committee, or alternative fuels, or both at the same time. People tried to have me in three places at once but I couldn't quite do it. So I know Mr Marchese sat in. He knows about this bill and he's here with us tonight, I'm pleased to say. He heard from the municipalities about their urgency in having us not block this bill. I received a telephone call from Ann Mulvale, the president of AMO, asking—I presume that the government has been calling

people and letting them know that the NDP might block this and we have been lobbied a fair amount to ask us to—well, we've been told how important this bill is.

Interjection.

Ms Churley: Yes, president of AMO.

We have been receiving those calls and I am particular and I've been calling them back and I've been discussing the bill and our issues and problems with it. I've got to tell you that many people agree that there are problems with this bill, are not totally happy with it, but say, "Look, it's something, and we're really terrified that it isn't going to pass and we really need it to pass." That's what some people are saying to me.

One of the things that became clear in analyzing this bill—and Mr Arnott will know that I brought forward an amendment to deal with this—is that we don't know the timing on this. We don't know whether it's going to take months, and it's not clear how much money they're going to get. But as I said, municipalities are convinced that something is better than nothing, so we are listening to that concern on that point and we do respect their position on it. But we want to speak about it and I'm going to point out its deficiencies and I am going to point out that changes that I and TEA and others suggested that the bill needs, which, as I said, the government refused to support.

Toronto has come up with a plan to divert 60% of their waste. It's a plan that involves advanced, large-scale composting. It's a plan that has a goal of eliminating the need for landfill by the year 2010. That is leadership. The city of Toronto is trying to show leadership on this issue. You will recall the horrendous debate around the Adams mine, and it's coming back to haunt us again. We're hearing the Minister of Municipal Affairs musing aloud about asking Toronto for a six-month delay in signing the final contract with Michigan, which is supposed to happen tomorrow. I heard him on the radio this morning and he wasn't denying that. He said, "Municipalities, it's their option. They can do anything they want." And, yes, Mel Lastman said the Adams mine is, I quote, "d-e-d."

Mr Rosario Marchese (Trinity-Spadina): That sounds like "dead" to me.

Ms Churley: That's what he said. But for something that is dead, boy, it sure keeps popping up all over the place. You think it's dead and then it keeps popping up, and it has popped up again. But we don't want this to keep popping up, and we're so far behind other jurisdictions in terms of moving forward on real waste diversion. As I said, this bill does nothing about that.

Mr Kormos: Look at the board of directors.

Ms Churley: We'll be getting to the board of directors. We'll be getting to that.

So the problem is that the municipalities have been starved by this government and they haven't been supported. The government tells them to come up with solutions and then cuts their funding, then downloads new responsibilities. Municipalities just can't cope with it. The government has been working on this bill appar-

ently ever since they came to power in 1995; they say they have.

Interjection.

Ms Churley: When they cut the funding for the blue box program, they said they were working on it. I've got to say that the whole issue around waste management is difficult. It is difficult. It has bedevilled various governments for a number of years: big headlines, big fights, big problems, political battles. It's a very difficult issue. I acknowledge that. There had been, however, up until this government cancelled the funding, some progress, some movement, and then it all stopped. It has taken all this time, since they cancelled the funding in 1995, to get to this point where we are today, and that is, we're talking about a very disappointing bill. This government has absolutely no vision when it comes to the challenging problem of waste that is before us.

One of the things Mr Gord Perks said when he spoke to the committee, and this really struck me, was, "To begin with, a sound solid-waste diversion strategy depends on five key principles," and those principles are lacking in this bill.

"We must respect the 3Rs hierarchy—reduction, reuse, recycling—in that order." The words are here in the right order, but there's nothing in the bill compelling that to happen, for the diversion to happen in that order.

He said, "We must implement the best of what is known as extended producer responsibility."

"We must tailor our waste diversion and recycling programs to suit the particular needs of different materials, rather than attempting to come up with a one-size-fits-all, shoehorn-style effort to deal with them," which is exactly what we're doing in this bill and why it's going to fail.

"We need to devise a system that to the minimum degree possible is bureaucratic and complex. We need" to do "something that is speedy and simple."

The amazing thing about this bill, for a government that says it's trying to get rid of red tape—talk about the red tape they've created in this bill. It has made it far more complex than necessary for innovative things to happen. It's one size fits all. You've got this industry-dominated board that's going to be negotiating with the industry to come up with their goals and their plans. This is not going to be easy, and it's not going to be simple. It's very bureaucratic.

"Finally," Mr Perks says, "we believe there should be an appropriate division of responsibilities and authority between the public and the private sector."

I've already pointed out to you that the bill is backwards, completely backwards, and that it goes in the wrong direction. It rewards people for not producing material that can go into the blue box. So you're going to have a situation where you will have to pay your share to be part of this program, but if you don't fit the criteria, then you get to send your stuff, your packaging, whatever, to the landfill for free. That is just crazy. That goes against the very grain of what this bill should be doing.

Mr Marchese: Everybody complained about that in the committee.

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Ms Churley: Yes, absolutely. So the point we're making here is that the municipal governments have been starved and squeezed, and so they're desperate to get some legislation that commits to industry funding for the blue box system, and we understand that. But I want to now look directly at some of the problems of the bill and talk about the amendments I made, which failed, which the government refused to pass. By the way, I made several amendments. I think the government made a few amendments that did respond to some of the concerns raised, a couple of them, in a very minor way.

Some of the problems with this bill: the bill should stipulate that municipalities will get at least 50% of their net operating and capital costs for running the blue box programs. That's an amendment that I put forward, the NDP put forward, and it was blocked by the government.

In the government's initial draft of the bill—and Mr Marchese is probably going to remember this—there was no guarantee whatsoever about how much funding the municipalities would get. The bill said only that they would get no more than 50%. I mean, that could have been 5%, 2%. Even the government agreed that was a problem. To be fair to the government, they did change that to say that they would get funding equal to 50%. But we're still asking the question, 50% of what? Does that include the capital costs? We don't know. I don't think so, but clearly it should.

Now, our NDP amendment said that they should get at least 50% of the net operating and capital costs. So it was very clear, at least so it could be more, and both capital and net.

The second issue which we raised and put forward amendments on was when they will get the funding. That is not clear at all. That's something that municipalities are concerned about. They want the money now. By some people's read of the bill, it could take months and months for them to get the money and maybe even up to a year or two, possibly three. I'll talk more about that later. Now, obviously that's not good enough. The municipalities are desperate now. That's why they want the bill passed now.

So the NDP put forward an amendment, and once again the government said no to this amendment. What we tried to do through this amendment was to get the bill changed so that the funding would be effectively retroactive to royal assent. I would say that the municipalities would support that, because we don't know how long it's going to take for the bill to pass. I'll give you a rundown of the possible scenarios of that a little later. But I want to ask why the government wouldn't agree to this. The funding was cut in 1995. They're desperate for this funding. This amendment should have been accepted.

The municipalities are being stuck with the waste that industry produces. They're having to deal with the waste today, and they're not getting all the support they need. So I don't understand why the government would not

agree to an amendment. I thought it was an oversight, I really did, and expected them to agree to an amendment that would allow them to get the funding retroactively. But I guess only the government knows why they blocked that one, because the explanation didn't make any sense whatsoever.

Now I want to come to a big one, and that is the whole issue around getting organics out of the waste. The bill does nothing, nothing whatsoever, to support and encourage municipalities to get those organics—because that's what causes the problem in landfill. Those organics cause all the poisons and problems. So if you get that out of the waste stream and start composting it, that solves a lot of your waste management problems right there. We're not talking about reinventing the wheel here.

In fact, I want to quote to you a little bit from the Association of Municipalities of Ontario's Ms Ann Mulvale, who talked about that. To be fair, she came in support of the bill. She said some good things about it, but she pointed out some of her concerns, and that was one of the concerns that she spoke to at some length. She said, "Organic waste represents 30% to 40% of the municipal solid waste stream." She said, "It is therefore essential to increase the level of organic waste diversion in Ontario if we are to achieve the overall 50% provincial waste diversion target. According to preliminary estimates from the WDO, the net cost of operating a province-wide municipal organic waste diversion program could be expected to be nearly \$50 million."

Now, you tell me that municipalities can afford to do that on their own; they can't, not here in Toronto, not anywhere. They don't have the bucks, because of the downloading, their lack of ability to get their fair share of funding from the tax base, the gas tax base etc. So AMO urged the committee to recommend that the legislation be amended to enable the province to provide such funding, and that's what I did in committee as a result of AMO urging us. She says, "Organics represent a significant share of household waste, and without support municipalities will not be able to establish or expand their organics diversion programs." This bill doesn't even begin to look at that issue, and we're not reinventing the wheel here. Remember when we were having the Adams mine debate? For a while there was a period of time when all we heard about for days at a time—everybody in the north and in the Toronto area was focused on what we can do to get the organics and other things not all treated like garbage to be thrown into a landfill, but to treat them as something else. We kept hearing all about how to take the organics out of the garbage and turn them into methane gas.

There's an article I dug out from the debates we had at that time, "A Better Garbage Solution Than Dumping in the Lake," written by Cameron Smith in the Toronto Star. He's the president and chief executive officer of Enwave District Energy. He commissioned a massive study on methane digesters. It was an incredibly good study. It was very well done, and it gave excellent results. The report said that if all Toronto's organic garbage—

600,000 tonnes a year—were processed through methane digesters, it would produce enough electricity to meet all the requirements for administration of the city of Toronto. They exclude the Toronto Transit Commission but include the needs of all the city's buildings and those of its boards, commissions and agencies and all its requirements for sewage and water treatment. In addition, it would supply enough electricity to cover more than half the needs of the TTC. He goes on to say it would save Toronto taxpayers at least \$25 million a year. Nothing has been done about that. I know the city of Toronto has a plan to divert and get the organics out of the waste stream. But like all the municipalities across the province, we have to get the funding moving so that these municipalities can play catch-up.

We know that Mayor Lastman went to Edmonton, and we know all about Halifax and what they've been doing there for a number of years. Edmonton and Halifax are way, way ahead of anyone else in Canada, and way ahead of Ontario. We've fallen so far behind. Nova Scotia and Alberta set the tone for this. Nova Scotia has the toughest trash laws in all Canada. It's actually illegal to throw compostable waste into the garbage. It's illegal to do so. Homeowners can be fined for putting glass and metal in the trash rather than recycling them. The reason this happened was that about five or six years ago, there was growing public concern and outcry over the landfill capacity and concern about incineration. So the provincial and the Halifax governments decided the time had come—and that was five or six years ago—"Let's get moving, let's put the money in, let's get the programs up and running," and they did. What is amazing is that they did it and they came up with this incredible process for getting all these things out of the waste stream and considerably reduce what had to go into landfills—the same thing in Edmonton.

We also have here in Guelph—I know my leader, Howard Hampton, went to Guelph, and we talked about this in the Legislature at the time as well. Subor Corp built a \$20-million demonstration facility that can process the town's unsorted garbage and, he says, turn all of it—apple cores, organics, garbage bags, diapers, cardboard and plastic wrap into usable gases, peat and recycled materials. The federal government invested about \$5 million in this project, and it is so popular that officials from the US Environmental Protection Agency and Environment Canada came to take a look at this to verify these key claims.

What they're saying about this—this kind of new innovative technology, which is getting better every day—is it could shut down landfills across the country. It could get rid of incineration. It would put Adams mine to rest. That's the kind of thing we should and could be doing, but we lack the political will and the vision here in Ontario to do what we have to do. I'm afraid we're going to wait until we're on the brink of some kind of disaster before we actually do what is absolutely necessary.

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Back on October 25, 2000, I toured with Jack Layton, city councillor for my area, Toronto-Danforth. We went to look at a plant in Newmarket called Canada Composting Inc. This was a tour of an anaerobic composting facility in Newmarket. It's similar to the plant the mayor toured in Edmonton—smaller of course, but similar—and it's big enough to process 40% of Toronto's compostable waste. We went to take a look at that, and what Mr Layton said at the time was that we need only three plants the size of the city of Newmarket facility to serve all Toronto.

Why are we not moving further ahead on this? This is an anaerobic digester, an airless composter. It produces methane gas that is used as a fuel source to produce electricity and heat. It apparently is even better and more advanced than the one the mayor saw in Edmonton. The Newmarket composter produces cheaper fuel than that and makes green electricity and green heat. All we need is to build another plant like this in Toronto, and Toronto's is cut by half right then and there.

It's very disappointing that we have a bill before us that is going to throw some money that is badly needed at the municipalities but is not giving them one of the key things they need. We all know by now that getting the compost, getting the organics out and composting them is the key issue, the key direction we have to go in.

The NDP brought in amendments to the legislative committee that would add provision for funding these kinds of forward-thinking initiatives that would keep a lot of the waste out of the landfill and would reduce the pressure on the blue box and reduce the pressure on municipalities to find landfills. More and more, people are saying no to landfills, no to incineration. And there are options out there. It's not like the days when there were no other options and we had to find that landfill, we had to build that incinerator. There are so many options out there now, and we're just not keeping up.

Another area I want to talk about is the problem with representation on the board of this waste diversion organization that the bill provides for. It is weighted extremely unfairly and is open to the possibility that municipalities, which have to do all the work of running the blue box programs and, let's face it, are ultimately responsible for the waste the participating industries generate—the municipal representation will fall far short of the industry representation on the board. What our amendment proposed was that municipal representation should not fall short of 50% of the members of the board. I thought that was a reasonable suggestion. The government did not allow that to go forward as well.

At the end of the day, when we finished the debate about this amendment, it became increasingly clear that as new industries come on board with plans that are accepted through the process, each time that happens they will be able to appoint a representative on the board from their industry. So over time, as industry continues to appoint more and more reps, municipalities will stay at the same level. They're already underrepresented; I think

it's about a third of municipalities represented. The rest are industry-based. There is no provision to even keep the level of municipal people on the board at the level they're at now, as they start. But that amendment was turned down. So industry has the majority on this board and always will, and their majority will continue to get bigger and bigger. I find that to be a problem; I would expect some municipalities will find that to be a problem. That's where it stands now.

The other amendment that I put forward was representation on the board from the environmental community. The government wants to boast that the bill shows how committed they are to the 3Rs—reduce, reuse and recycle, in that order—but you've got to wonder how many members on the government side even understand the 3Rs, how many know there is a priority in the 3Rs. The reduction has to come first and foremost, followed by reuse, and only after that, recycling.

Part of the problem, as we talk about this bill—and frankly I found it on the committee level. When I was talking about the importance of the order of these 3Rs, I had to explain at some length the reasons why it's important to understand fully that first of all, no matter what the material is, we start at thinking, "How do we reduce it? How do we not produce it whatsoever?" Somebody said, "There are some materials that you can't not have, that you can't reduce." I said, "Yes, but first you look and then the next step is, if you can't reduce it, can you reuse it? You go up the chain like that. Finally, if you can't do either of those two, that's when you get into recycling."

The concern is that I think it's fair to say, from the representations, the opinions I read and heard, that came before this board, is that the environmentalists, for good reason—that is what they do, that's their job. The industry reps have a whole variety of other concerns and interests that they have to bring to the table. We all know that and I don't have a problem with that. That's their job and they will do their best within the confines of all of the other issues they have to take into account around that table. It's very difficult to sit down and negotiate because we're talking about real dollars that the industry has to pay here. Then the municipality is trying to get as much money as they can, for obvious reasons, to help pay for their programs so they can move forward. So when I put forward an amendment that there be representation on the board by the environmental community, we proposed that it be the Ontario Environmental Network.

I just want to explain why we proposed that. They are an umbrella body. They have no policy function. They have an appointments process already in place to put reps on many stakeholder processes. They have 800 groups as members, so they're an umbrella group for environmental organizations all across the province. They would be the ideal body to choose from their membership, from their 800 members, the best person to have on the board so that we could have representation on the board of the Waste Diversion Organization, one voting member and

one non-voting member. I couldn't find any good reason why the government wouldn't agree with that.

When I talk about having made amendments, we actually made two amendments. The first one failed, the amendment that we put a member appointed by the OEN on the board. Then I put forward an amendment that we have an OEN member as an observer. I put that forward because the government is allowing observers who have no voting powers but who can be there to keep an eye on what's going on. OK, we failed in the motion to have a voting member on. I put forward a perfectly reasonable suggestion that a member from the OEN at least be allowed to be an observer. That was turned down as well.

2120

I want people to take a look at section 24 of the bill, which defines a waste diversion program under this act. It says, "A waste diversion program ... may include ... activities to reduce, reuse and recycle...." May include the 3Rs? Is that the best commitment that the government can make in this bill that's supposed to be their bill to deal with our waste problem? I tried to strengthen the bill. I thought that it should be much stronger than saying "may include ... activities to reduce, reuse and recycle."

It says, "A waste diversion program ... may include ... research and development" about waste management and it "may include ... activities to promote ... products that result from the waste diversion program" and it "may include ... educational and public awareness to support the waste diversion program."

There are no guarantees that these things will be included. Why does this bill not say that waste diversion programs "must" include activities to reduce waste? Why does it not say that a waste diversion program "must" include activities to reuse waste? All I can say is that when this amendment was turned down—it made sense. Again, I thought it was an oversight. It was trying to strengthen the bill and make it very clear that this was a bill that was going to enforce these 3Rs. It says to me that the government doesn't have a clear commitment to these 3Rs.

The NDP also proposed an amendment to change this bill so that a waste diversion plan "must" include activities to reduce waste and to reuse waste as well as to recycle waste. It only needed a few minutes to pass, and the government turned that down.

Our amendment asked that the 3Rs of reduce, reuse and recycle be understood and applied in this priority. Again the government would have none of that. It was just to strengthen the bill and make it, I thought, for the government, as they're out there with this bill, to be able to say, "This bill says you must do this, you have to do this. There are no choices in this."

Since it falls so short in the areas that I talked about earlier that we need—that's the phase-out of organics of from landfill with a clear and binding deadline, at which time organics would be banned; support for new technologies; tough packaging regulations; mandatory deposit return systems for soft drink and liquor bottles; and funding so municipalities will have help with the cost of

introducing composting and recycling systems that are required. We must move in that direction; they don't have the funding to do it. None of these components that are so important in terms of the direction we have to go is in this bill, so I thought at the very least it would make sense to toughen up the language so that what this bill says it's going to do would be enforced, that it's a "must," not "can" or "might."

You have to ask how much of the designated waste must be diverted under a waste diversion plan developed and approved under this act. We don't know; that's one of the other amendments I made. Does it mean it's 5%, 2%? Amazingly, this bill doesn't set a target. There is no target in the bill. So it could be, given the crisis that we have around waste management, landfills, incineration, one of the ministers opening up the whole concept of perhaps diverting our waste to the Adams mine again, concern about trucks going to Michigan, all of those things—people are not going to allow new landfills. Look at Lindsay-Ops dump, the expansion there.

People aren't going to allow new incinerators to be built. In fact, they're going to clamouring to have the existing ones shut down in a short time. That's what's happening in Europe right now. We are so far behind in our waste management policies. We're still looking at the possibility of building new incinerators. I tried to get that taken out of this bill, as something that couldn't be considered as a diversion and that is still there as a possibility. We should not be moving in that direction; we shouldn't even be looking at it in the context of this bill. We should be looking at the progressive stuff they're doing in Europe.

They got into incinerators years ago because their land mass is so much smaller than ours, and they're finding that it's a real problem. Even with the latest technology, with some of the best pollution abatement equipment that you can imagine—and we hear about it. They say, "Oh, no, everything's better now. Let's get into incineration." Mark my word, no matter how good the pollution abatement equipment is, whatever you've got on there, there are some dioxins. The very act of burning garbage—you have to keep it at a high enough heat—creates dioxins and furans. It is true the technology is amazing now, but some still goes up that stack and there's no safe limit for dioxins. We already have air pollution problems in this province. To be even thinking about adding to them is absolutely insane.

And then you've got the other issue of the better the pollution abatement equipment is, the more toxic is the hazardous waste, because that's when it comes. If it doesn't go up the stack and spew all over our food chain and in our water and our drinking water, then it is in that fly ash, in that bottom ash, and that is even more toxic. If it doesn't go up there, it has to go somewhere. It's in that ash, which ends up having to be buried somewhere. It is such an insane solution to even be thinking about.

The kinds of things that are happening in Europe and other parts of the world—they are way ahead of us, and those are the kind of things we should be looking at. And

what do we have in this bill? I still find it hard to believe, but there is not a target for how much waste must be diverted under a waste diversion plan that's approved under the act.

So we're asking how much it is. The NDP brought forward an amendment that said 60%. We've got to get moving here. We're way behind. The city of Toronto, as I mentioned earlier as one example, has adopted this target. It's realistic. I know Hamilton has adopted a very tough target. There are municipalities already doing this, trying to get to that. They are going to need, however, the help of this government to come in with the legislation, with the targets that are set and the funding to help them set up these programs. How meaningful is a requirement for waste diversion plans if they don't have targets? I would say to the government—I think I said this in committee meetings—if they think 60% is too high, then how about 50%? The government said no to that. The government answer is no targets at all. That doesn't make any sense.

The plan appears to allow the possibility of waste diversion plans that would include incineration and landfilling. I mentioned this before. Everybody knows by now—I've said it many times—that I got into politics fighting garbage incineration in my riding and was very involved in the setting up of the blue box system here in Toronto. And I want to be on the forefront now of moving us forward, moving us into organics and taking the organics and those diversion programs.

So my amendment to ensure that those old-time non-solutions—because that's what they are now, non-solutions—those methods that are just another form of pollution, would not be acceptable components of a waste diversion plan. But it appears from the bill that they can still be seen as waste diversion plans.

I also proposed an incentive to encourage industry to make sure they work with the municipalities and with the WDO to meet targets of the 60% waste diversion program. This incentive was a measure that would have required the industry funding group to pay to the municipality the full costs of dealing with the percentage of wastes by which they did not meet the diversion target. That seems fair to me. So if you accomplish only 50% diversion instead of the target of 60%, then the industry group—and remember, the industry that actually creates and markets the materials that we're having to dispose of or divert—would be required to cover that cost. Otherwise it's still being borne by the municipality alone, the cost of disposing of that waste. I think that was a fair amendment to make, and that was turned down.

I think that is a practical measure to encourage industry, through an incentive, to help develop waste diversion plans that work. That's missing from this plan, and that was an amendment to put that incentive back in there. But the government said no to this amendment as well and that the private sector can do these things best. I would just have to say that in some cases the private sector doesn't do things best, that in this area of waste management and all the problems that we have, having

this industry board set up and having them involved—of course they need to be at the table. But you've got to ask, if they can do things so well, why is the government so afraid of this motion that encourages the private sector to do some things better? There's a contradiction there.

Another issue: the government boasts that the bill will ensure the appropriate funding support to our municipalities that are designing and carrying out our blue box programs. But I'd ask people to take a look at section 30 of the act. This is the section that has come to be known as the "newspaper clause."

I listened to the Minister of Consumer and Business Services. The name has changed since I was the minister. I listened to him talk about the small amount of waste of bottles and cans which goes into the blue box, and he mentioned the high percentage of newspapers that goes into blue boxes. It's true. I don't have the figure in front of me, but it's a huge percentage. I believe you said it. It's a huge percentage that goes into the blue box. That's why I'm concerned about this clause and put forward an amendment.

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The reason I'm calling it the "newspaper clause" is that it opens the door—and they've been doing this to some extent in the past—to allow that industry to get out of having to provide any money at all for blue box programs, yet they make up—what?—up to 60% of what goes into our blue box. But this, as the bill stands right now without my amendment, is what it does. It does this by allowing an industry group like the newspapers to provide support in kind instead of support in dollars. What that means is that municipalities can take free ads from the newspapers instead of getting the money to pay the hard costs of the blue box programs.

I asked a question in committee to officials from the Ministry of the Environment: what other industries have that opportunity? They couldn't tell me of any others. Newspapers happen to be in a position where they can offer that "in kind" instead of real money. I don't think that's a level playing field, for one thing, because other industries cannot offer something in kind, so they've got to pay their money. But I also believe they should be paying their fair share of this.

It was raised, in fact, by Ms Mulvale. She expressed a concern about that. She called it "voluntary contributions." This is not coming just from me, it's coming from AMO, and a concern was expressed. Here's what she said:

"The industry funding organization may reduce the amount of fees payable by a person under subsection (1), or exempt a person from subsection (1)," so it can be an exemption, "if the person has made voluntary contributions of money, goods or services to the organization." She expressed concern about "the lack of clarity with regard to what types of in-kind or voluntary contributions would qualify," and she specifically mentions the Canadian Newspaper Association, which, she said, last year "was able to negotiate in-kind contributions in advertising space for municipalities in lieu of funding for

newspaper recycling programs. While some of the in-kind advertising space was used by some municipalities, this in-kind contribution did not help in any substantive way with the costs associated with blue box programs.

"In AMO's opinion, it is important to amend section 30(2) to provide some direction on the nature of voluntary contributions if they are to be allowed."

She expresses concern about that, and I think, very gently and very carefully, that this is a problem for municipalities and they would like that section amended. It has not been amended. It remains the same, and it is a problem for the municipalities. So you've got to ask how it's going to work. Can municipalities pay their workers in free ad space? You've got to ask questions around this. If you're going to allow in lieu of real dollars here, can they buy trucks with free ad space? Can they buy blue boxes for the residents with free ad space? The answer to that is no.

Finally, I want to spend a few minutes talking about the timing of this bill. Working with TEA, we've come up with a time frame of what could be assumed to be the earliest time, an estimate of the earliest time that this bill could get royal assent, and the latest time estimate. This is based on real experiences in getting these things through the system. What we came up with is this, and I think people should listen carefully, because the municipalities and especially government members are pushing us hard to get this bill through because the municipalities want their money. They need it now. They have had to wait since the government cancelled funding in 1995 for the blue box.

The NDP put forward an amendment that says the funding should be retroactive to royal assent. That did not pass. That is why this is so important, because those municipalities who are pressuring us, for good reason, to move forward with this bill are going to be really angry and really disappointed if this funding doesn't start flowing fairly quickly.

So this is what could happen here. I'm going to give you some of the steps that have to be taken, because this is not going to happen overnight. It's a very cumbersome process, which I pointed out earlier.

The appointment of the board of directors of the WDO: that's in subsections 3(1) to (5). The earliest time estimate—and believe me, this is the earliest time estimate—would take one month. The latest time estimate there? More likely three months.

I'm going to talk about the operating agreement. That has to be done. After the appointment of the board of directors, you have to have your operating agreement. That is in subsections 5(1) to (5). The earliest time estimate, realistically, is two months; probably it could take up to six months or more, because we're talking about complex operating agreements.

Then there's the posting of operating agreements for public comment under the EBR. That's in subsection 5(6). The earliest time estimate is five; it could be up to three months, perhaps should be up to three months, so people can comment.

Then there is the designation of a waste by the MOE through regulation, posting of regulation on the EBR and notification to the WDO to develop a program. This all has to be done. This is not going to happen quickly. And the thing about this piece is that this will happen concurrently with the development of the operating agreement. That gives you some idea of some of the issues that have to be dealt with while the operating agreement is being negotiated. The latest time—I can only give the same time frame as before because it does happen concurrently—is one to three months.

OK, those steps; next is the establishment of the IFO. That's in section 23. The earliest time frame we're looking at is one month; the latest, we could be looking at up to four months. Development of a program: the earliest time frame we're looking at is three months; it could take up to 12 months. Consultations with the public and stakeholders: the earliest time frame we're looking at is probably two months, and the latest we're looking at is four months. Then the posting for public comment under the EBR: earliest time frame, one month; latest, probably three months.

If you total those things up—and bear in mind when I'm talking about this how difficult it has been in the past, and we all acknowledge that, to get industry at the table to come up with some kind of formula that will work. Here we have the earliest time frame being 11 months. Bear in mind that it's not retroactive, so we're looking at it being implemented in December 2002. I think it's very optimistic that all of this is going to be done in that time frame. The latest time frame we're looking at is 35 months or more, and that program, if it takes that long, will be implemented in December 2004 or later.

We can't wait that long. We simply cannot wait that long. That's the situation we have here. We need a tight time frame on this. I think it's scandalous that we have a situation where municipalities are finally seeing some light at the end of the tunnel after this funding was cut and there's no guarantee of a time frame. Had the amendment to provide this funding retroactively to royal assent been accepted, I would feel more comfortable about this. On the other hand, I must say we can't wait this long to get this process in place, given all of the other things that I said: the need for the government of Ontario to get on with promoting financing, funding, helping municipalities set up our composting programs and things like that to get the organics out of the waste stream, to start refillable programs for liquor bottles and pop bottles. That's the kind of thing we're missing from this bill, but for heaven's sake, we should at least have the bill before us as strong as possible, to get it off the ground and get it happening.

I want to end by talking briefly again about a concern we have, and it was raised by the member for Timmins-James Bay today; that is, that people up north and people of Toronto are very opposed and made it clear that we don't want garbage going to a lake. It's called Adams mine but it's a clean lake. Minister Hodgson had

suggested—he wasn't here today to confirm this or to answer to it—that he wanted the city of Toronto to put off for six months making the decision on sending their garbage to Michigan. Mr Jack Layton prepared some information which he sent to me. He asked for it from Lawson Oates, who is the manager of strategic planning and solid waste management services, works and emergency services, city of Toronto. This information was provided to me, and it talks about the number of trucks per day and the tonnage per day of both the current contract and proposed contracts, because of course that's what the minister talked about, his concern about all the trucks going across the boarder and on our highways, on the 401.

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I'll be happy at another time to share some more of that information, because I'm sure the minister would be quite interested to hear it.

The most important thing that I must say to people in this House about that request for a six-month delay, whatever that was about, whether it's about Adams mine, looking at incineration, another dump, whatever is going on, a six-month delay—and I don't know if the minister is aware of this or not, but the implications, it says here, of delaying the signing of the new contracts for six months so that the soon-to-be-created Smart Growth councils, which was what the Minister of Finance was talking about today, can have an opportunity to study the issue and develop solutions—for heaven's sake, we can't do that.

What he says here is that the city's contract with Republic calls for a nine-month notice period of municipal solid waste to be added to the existing contract. This time frame is required to allow Republic and its business partner to place orders for new equipment, tractors and trailers and hire drivers. With the scheduled closure of Keele Valley in December 2002 and in order to have a contract in place January 1, 2003, the city is required to provide notice to Republic no later than April 1, 2002, stating that the city will be delivering municipal solid waste to them. He's saying that a delay in the provision of this notice could lead to a situation where the city does not have disposal capacity for municipal waste.

If a delay in the provision of notice to Republic were to occur, we would recommend that steps be taken concurrently to extend the service life of Keele Valley to ensure that required disposal capacity is in place for Toronto and the regions of York and Durham.

So that's the situation with the city of Toronto. The good thing is that the city of Toronto is moving very quickly forward on their own diversion program. The city of Toronto and municipalities all across the province need the help of this government to get those programs up and running.

The other thing about this deal with Republic in Michigan is that the deal is set up in such a way that Toronto city council will not be penalized as they divert more and

more of that waste from going to landfill there. That is part of the deal.

I want to end by saying I'm very disappointed in this bill. It had such potential to come at least a short distance toward resolving some of the big problems we have around garbage disposal and diversion, and it doesn't come close to doing that.

The Acting Speaker: Comments and questions?

Mr Norm Miller (Parry Sound-Muskoka): It's my pleasure to add some comments to the member from Toronto-Danforth on Bill 90, An Act to promote the reduction, reuse and recycling of waste in this province. Certainly I know the member from Toronto-Danforth is keenly interested in this subject. She spoke for many hours at the committee level and very passionately brought forward a number of various amendments. So I know this is an issue that is very close to her and important to her.

I'm also very pleased that in Muskoka—she was talking about organics—we have a composting plant in the town of Bracebridge. Organics are a designated waste under this legislation, so the minister will be able to designate organics as a designated waste, and then of course, the way the bill works, there's an industry funding organization, a steward designated, and then industry pays 50% of the cost of the management of the waste and the municipality pays for the other 50%. I know some of the Liberal members were talking about throwing money at this bill from the provincial government, and that is the usual Liberal solution: throw money at the problem and boost taxes to try to cover that.

I think this bill is going to be very positive for the province of Ontario. It will encourage the reduction, reuse and recycling of waste in this province. I'm very pleased. I understand the municipalities are very happy to see it coming about, and I hope it will come about quickly, one of the many bills being put forward this fall by the Conservative government to do with the environment.

Mr Mario Sergio (York West): I want to add a couple of words on the presentation from the member for Toronto-Danforth.

I would also like to congratulate the winner of the by-election tonight in Beaches-East York.

Interjection: It wasn't your guy. Who was it?

Mr Sergio: I believe it was a good Liberal candidate who won, so congratulations to the people of Beaches-East York.

We are dealing tonight with one of the environmental bills presented by the government, entitled the Waste Diversion Act. The government has to be serious when we are dealing with one of the most important environmental issues, especially something that affects the entire province. I would say to the government that to really work on this important issue you have to work very closely in co-operation with the various local municipalities. We have seen in the last five or six years a huge movement away from the responsibilities and co-operation with the local municipalities. They have been

left to look after this important problem on their own, without assistance from the provincial government. I believe a good program doesn't work by having a new corporation with a bunch of other people; it has to be a two-way street.

I believe the minister is here in the House, and I am very glad that the minister is listening to the opposition tonight. It is too important to leave it solely to municipal governments when they have been isolated and had their funding cut. I think tonight is a good time for the minister to bring a message to the Premier, to the Conservative caucus, to the Conservative government, and say, "If we are really serious about it, then let's do what's right and let's work with the local municipalities."

Mr Kormos: It's 9:45 now. You've heard from the NDP environment critic. That's the hour she's entitled to. Now you're going to hear from Liberals, Conservatives, and you're going to hear from more New Democrats. There are eight more New Democrats who are going to be speaking to the bill. Regrettably, I don't think we'll get the bill finished for second reading tonight. The problem is that the government has to get a better handle on how it's managing legislation here in the House. The government can't just sort of putter around and then say, "Oh, my, this bill has been sitting there. It hasn't been on the radar screen for Lord knows how long," and then all of a sudden, "Oh, we've got to get this passed in a real hurry because we want to get out of here by December 13." This government has to do some prioritization. It has to decide what's important and what's not, because the reality is that you can sit to midnight every night—

The Acting Speaker: I'd ask you to bring your comments within the debate on the bill, please.

Mr Kormos: Thank you kindly, Speaker.

We can sit to midnight every day this week, every day next week, every day the week after that, talking about Bill 90, and the fact is that the government still isn't going to get all of its legislation passed. It's not our fault. We opposition members don't control when the government House leader calls, for instance, Bill 90. The government makes those decisions. Then it can't come running to the opposition parties saying, "Oh, you've got to help us pass this bill. Oh, you've got to help us solve our problem," that the government are such sad, pathetic managers of the—

The Acting Speaker: I'd just say to the member, if he wants to bring it within the comments of the member who spoke, fine; if not, we'll move on.

Mr Kormos: Bill 90 isn't going to get completed for second reading this evening, and it may not get completed for second reading for a while.

Mr Arnott: I wasn't aware that my colleague wanted to speak, but I'm sure he'll get an opportunity the next time around.

I want to compliment my colleague the member for Toronto-Danforth, the NDP critic for the environment and deputy leader of the NDP caucus here. I enjoyed her speech. She spoke for a good hour about the issues that are of concern to her, and certainly her credentials as an

environmentalist are impeccable. I know that she's got a sincere interest in that and has exhibited those kinds of concerns throughout her tenure in the Ontario Legislature for the last 11 years, and she's very good at it.

2150

She neglected to point out, though, that we have in our chamber tonight two former Ministers of the Environment, the member for Scarborough Southwest, who of course served as Minister of the Environment, and also the member for Lanark-Carleton. I want to acknowledge their presence here because, as Ministers of the Environment, they had opportunities to work on this issue and certainly their fingerprints are all over this bill as well.

I also want to compliment our current Minister of the Environment, who has done, I think, an outstanding job in recent months since her appointment as Minister of the Environment, and certainly this bill stands in her name.

Mr Frank Klees (Oak Ridges): What's her name?

Mr Arnott: Her name is the Honourable Elizabeth Witmer and she's the MPP for Kitchener-Waterloo. She is running for the leadership of our party and certainly has my endorsement.

So I would like to thank once again the member for Toronto-Danforth for her contribution tonight. We appreciate your comments. I also wanted to thank you very much for the amendments that you brought forward in the committee process. We looked very carefully at all of those amendments with a view to seeing if they could be made workable and practical. Unfortunately, we concluded that those would not be workable or practical, but at least you did bring forward amendments, a constructive approach to the bill, and we certainly compliment you on that.

The Acting Speaker: The member for Toronto-Danforth has two minutes to respond.

Interjection: Make it good.

Ms Churley: Oh, it'll be good.

I appreciate the comments from the couple of members who spoke. I don't think either of them spoke for very long about the actual contents of my speech. One did and the other one didn't, but I had the opportunity tonight to put on the record, because I don't know how many people were actually listening—

Interjection: Everybody.

Ms Churley: Everybody, I'm sure, was listening—my concerns and the concerns of the New Democratic Party about this bill before us. I made amendments at committee and I want to reiterate that we're here. After first reading we had the opportunity to take the bill out, we had some public hearings, we made amendments. I know that all of my amendments were based on the concerns raised by groups before us, including AMO. None of those amendments was accepted by the committee. Part of the process in the change in the rules was for us to be able to come back after first reading so that the entire Legislature could hear about the issues and the amendments that failed so that we might have a possibility of going back at it again.

I have already said that I'm not going to do that, although some would like me to bring it back to committee again. If I thought it might make a difference, I would, but I recognize that the municipalities are anxious to get this funding. As I said earlier, boy, they'd better get it soon because they're going to be mad and I'm going be mad, because I was feeling and am feeling the pressure to allow this to pass. I believe what my House leader said, that it's your agenda, you're the government. I know you have a lot of bills, I know this is a priority. We'll continue debating it and at the end of the day—not the end of this day, I believe, but soon—we'll have a vote on this and we'll go from there.

The Acting Speaker: Further debate? The Chair recognizes the member from Brant.

Mr Levac: I appreciate the opportunity to express—

Interjections.

The Acting Speaker: Order. I have recognized one speaker—and there will only be one—and in this case it's the member for Brant.

Mr Levac: Thank you, Mr Speaker. I appreciate the heckling from my side. I appreciate it very much.

I want to start by responding to the member from Parry Sound-Muskoka, who did a pretty good cheer-leading process. His regular notes told him that he had to say something about tax increases and that the money's not there so we can't afford to do it. What they basically did is—I want to make sure that, in case he forgot, we'll do it on this side, because they'll forget to do it all the time. That is that this government cut 50% of the staff of the Ministry of the Environment. This government cut 56% of the budget in the Ministry of the Environment, and I think it was within the Ministry of the Environment that we noticed we had a problem called Walkerton. They still say, and to this day they're trying to tell us, that a 50% cut in staff—that includes inspectors—and a 56% cut in the budget had absolutely nothing whatsoever to do with environmental problems in our province. Quite frankly, we're going to hear all kinds of excuses, reasons and rationale from that side why they can't invest in our environment.

But I also want to point out that within the realm of the environment, and this bill in particular, we are faced with a decision we have to make, and that is, what is it worth? We've been told by the Provincial Auditor that he's deeply concerned about the inspection of our meat. He's quite concerned about the condition of that, and we find out now that there were cuts to that particular area, where the number of inspectors dropped by almost 200 people.

I want to start again where I left off in my two-minuter in response to one of the speeches given earlier by making sure people understand that what I want us to do is remember seven generations. I am saying the words "seven generations," as I've learned from the good people of the Six Nations, the First Nations people in the riding that surrounds me. They have a belief structure that's been in existence for 25,000 years. This a belief they have: the decisions that they make today must take

into consideration seven generations in front of them. So whatever you do today, be it education, health care, the environment—in particular the environment—they say that you must never hurt the seventh generation in front of you. That's just an amazing philosophy, 25,000 years old. They knew back then that that kind of planning was necessary in order to protect Mother Earth. Quite frankly, I think it's laudable. I think it's absolutely paramount that we understand and learn from the particular example they have given us all these years ago.

I want to continue on Bill 90, so I'm going to go straight to the point here.

Interjection.

Mr Levac: And their elders did not do that. As a matter of fact, their elders were more concerned about seven generations down than worrying about what was happening today. The member for Sudbury brings me back to what they did today. Wherever there have been environmental conferences and wherever there has been an opportunity for them to gather in public to talk to their young people, to our young people, to us as a community, they have always and consistently reminded us that seven generations have to be planned for. I'm concerned about this bill because I don't know that this bill is taking into consideration that deep philosophy that is taught to us by our First Nations brothers and sisters.

The purpose of this bill is to promote the reduction, reuse and recycling of waste and to provide for the development, implementation and operation of a waste diversion program. I want to bring to the attention of this House some wonderful work being done by the county of Brant, the new amalgamated city of the county of Brant. Willie Maertens is the chairman of the waste management committee on city council, and Willie brought together some really comprehensive plans about waste diversion. Actually, it was way before this bill was introduced and way before this government acted on a whim that basically said, "Oops, we've made a real mess of the environment, so we'd better backtrack and try to fix things up a little bit." So Willie went out and found the best possible products out there from around the world. They travelled extensively, but they also made contacts, and people from around the world came to them in Brant and taught them about the types of recycling and waste diversion projects that are available.

In my discussions with Willie I found out that they found several companies, and one of the companies they decided to start negotiating in earnest with was going to be able to make their landfill zero. They were going to be landfill-free in their municipality in a short period of time because of this technology and because of the way this company was going to redirect and reuse a lot of the landfill operations. I'm quite concerned that we're not looking at those alternative ways of waste management. Quite frankly, they were scared off because there was no support from the government. Nothing, not a plug nickel. They did not even step up to the plate and say, "We've got quite a bit of money here and we're going to be able

to help you put this program in place because it is forward-thinking."

2200

Now I'm going to come back, generationally, in front of the game: the investment now would pay dividends for the generations in front of us; I dare say the seven generations in front of us. We need to know and we need to be reminded that this was figured out 25,000 years ago from this culture. Some 25,000 years ago they had this figured out. They knew what they were supposed to take out of Mother Earth and from Mother Earth, who provided for them, and what they were supposed to put back in, and how they were going to reduce, reuse and recycle. They figured it out 25,000 years ago. Welcome to 2001. My goodness gracious, it's amazing, the fact that they figured that out.

Let's look at that definition. The set-up here for my definition is the implementation of the members who are going to be joining this board, Waste Diversion Ontario, the WDO. They will appoint one member from the Liquor Control Board of Ontario. That doesn't ring bad right now, but let's take a look inside the bill to where it leads us. There's another member here appointed by the Brewers of Ontario. Why am I bringing up the Brewers of Ontario? The Brewers of Ontario are being brought up here because of this: back on page 15 of the act, we now have Brewers Retail Inc, 33.1. They recycle, in a closed system, 97% of their waste. That means their bottles come back and the cartons get reused. Not only that, they also give themselves energy by burning some of the sludge that's made from the beer. The fact that this company has been able to recycle 97% of their product in terms of waste reduction is absolutely one of the examples we should be using.

Now, why did I bring up the Liquor Control Board? The Liquor Control Board is not mentioned from here on in the rest of the bill. They don't have a closed shop. They don't have to recycle their bottles. They don't have to do anything that the Beer Store has already taken it upon itself to do. It can be a closed system, and that was pointed out. By the way, they collect \$50 million in a waste reduction levy, shall we call it? How much do they spend? Five million. In terms of the investment, we have Brewers Retail that is 97%. So the collection of \$50 million that goes somewhere else so they don't have to do that—they invest \$5 million out of the \$50 million they're collecting, and of the \$5 million they're collecting, they also have another opportunity. In that opportunity, it's got something to do with budgeting. Inside their budget, they've been given an exemption, if they ask for it. "The industry funding organization may" with approval of Waste Diversion Ontario "reduce the amount of fees payable by a person under subsection (1) or exempt a person" completely if the person has made some type of "voluntary contributions of money, goods or services to the organization."

When we discussed this at committee level, we found that there were concerns raised by the municipalities. Some of the organizations may not be able to provide an

in-kind service, so they're going to have to pay those fees. What are we talking about? Maybe the fact that somebody has been able to stick an advertisement in a newspaper or a window or something else, and they're saying in their flyers, "Please reduce and reuse." They get to apply for an exemption and the WDO gets to sit back and say, "You guys put it in your window, so I'm going to reduce your fees. You don't have to pay any fees." Then I go back to the Beer Store, which is not inside that system. They've developed and created their own closed system and they don't have to pay anything because they've reduced their waste by 97%. We should be learning from this group. We should be modelling this group. The one group that I found in this particular bill, the liquor control board is the one that should be able to model it the best and reduce their recycling and get it down to 97%.

That reminds me: there is another clause in the bill that basically says, "Since we want to encourage this, the company that comes in and starts to do a closed system and reduces their pollution will only have to hit 75% of the mark." So now we've got a third tier introduced into our recycling and our 3Rs. Quite frankly, it may be advantageous to pull yourself out of the blue box campaign and go down to 75%.

Interjection.

Mr Levac: Yes. It goes right back to the whole question again—as the member from Sudbury points out, isn't that the same thing we're talking about again, about the seven generations that the First Nations have taught us? They wouldn't have tried to come up with something sneaky. They wouldn't have tried to come up with a way to find a third tier. They would have already had it encouraged and done. Quite frankly, I would depend on the First Nations teaching us about Mother Earth before I would worry about whether or not the government has the ability to do so, because in its wisdom, it cut 50% of the staff in the Ministry of the Environment and 56% of the budget. To me, that is not very close to what the First Nations have taught us about the seven generations.

Let me continue on the areas I expressed some concern about when we were at the committee on general government. The minister shall decide, in writing, to approve the program or not approve the program. That's all he's given. He says either, "I approve the plan," or, "I don't approve the plan." But what happens if they want to change only one portion of the plan? They have to go back and start all over again and resubmit the entire plan. What happens if they want to modify the plan? An amendment was offered to do several of those options, and it was turned down because it was thought it was going to slow the process down, that the minister might have one area in which there needs to be some tweaking. So they either accept the plan or reject the plan.

What do you think the logic is going to be for the ministry when it has maybe one or two concerns in a plan but they don't want to have it slowed down? That means if they present a plan that's not quite up to snuff, because they either have to accept it or reject it, they're not going

to reject it. They're going to say, "Hurry up and get it done and put it through." Now it's going to be considered flawed when this plan presents itself, but the ministry has the authority only to say yea or nay instead of the option provided by the NDP member, who said, "Why don't we look at different variations of what the plan could be: accepted, modified, changed a little bit, tweaked, given a little bit of movement?" "No, no, we can't do that. It's either accepted or rejected." Logic tells us that they're going to accept the plan. Why? Because that means it gets done and it's off their hands and they can say it was the WDO. Quite frankly, this is the long-standing process that I've very quickly learned about: "I wipe my hands of the whole situation and now it's somebody else's fault."

Well, shame on you for not paying attention to the seven generations. The seventh generation will come back and say, "What were you guys thinking when you did that seven generations ago? What were you guys doing? What did you possibly think you could get away with that we wouldn't know it affected us seven generations later?" It baffles my understanding, this whole idea of black and white, that the ministry shouldn't be able to go back to the WDO and say, "I think you need to modify this a little bit. You should modify it a little bit and come back, and then we'll accept the plan once it gets to that top, pristine level that we think it should be for the sake of our seven generations, for the sake of good legislation, for the sake of good programming."

Let's go over some of the facts we need to know. Fact number one is that inside the bill, when we talk about the promotion of the 3Rs—and this one is important. I think this is one of those little pieces of information that says, "We're going to try to convince the people of Ontario that we're really serious about the 3Rs, but we need to have a loophole here so that in case we can't do it, we can force this designated waste somewhere else."

I'm going to read the clause, section 24(2):

"(2) A waste diversion program developed under this act for a designated waste shall not promote any of the following:"—and note that word "promote." To me, "promote" means you're trying to advertise it and push it and make it usable.

"1. The burning of the designated waste.

"2. The landfilling of the designated waste.

"3. The application of the designated waste to land.

"4. Any activity prescribed by the regulations."

Number 4 is one of those famous (d)s at the bottom of the list: "And anything else the ministry decides it wants to do." Listen carefully to what it says: "Any activity prescribed by the regulations." They haven't told us what those regulations are. We don't know what they are or what they could be. What they should be we obviously know. That sentence basically says, "And anything else the ministry decides to put in regulations." What does that mean, saying "shall not promote"? It just says, "We're not going to try to tell people that these are the things we're going to do, but we need that door open."

Again an amendment was offered to say, "Let's close the door," to say, "You're not going to not promote this.

You're not going to allow it. You're not going to include it. You're not going to provide an opportunity for these four things to be done." As a matter of fact, if you ask me, we should just take that out altogether because it shouldn't be doing any of those. It should be strictly focusing on the 3Rs, and if the 3Rs are going to be focused on and solely supported, we shouldn't be giving them this easy way out or the backdoor stuff. We all know about the backdoor kind of activities the government always seems to do, like the last budget bill, which basically said, "We can leapfrog taxes now. We can actually increase taxes." You figure that one out. "We can actually increase taxes." Do you know how you do that? You make the education tax retroactive so I get to go backwards in time.

So this number in Bill 90 says, "Any activity prescribed by the regulations." We've got to be very, very careful about that. I'll tell you, the kind of bill we see before us sounds pretty good and is supported by some people, because they figure, "If the government gave us 50% we'd better take it, because they took all the funding away in the first place and they've cut the Ministry of the Environment so many times our heads are spinning and they've made the municipalities responsible for every plug nickel in the program." Now they're saying, "Maybe the municipalities had better say yes," as they've been forced to because they don't have any money left. They don't have a dime left in their budgets. They're all talking about increases because of the bad karma that was given off by this group and the downloading, so they're saying, "We'd better take the 50% and run because this government is going to whack us with a big stick anyway." Quite frankly, this bill represents bad management for seven generations.

Speaker, I would like to take this opportunity to request that we adjourn the House. I move that we adjourn the House.

The Deputy Speaker (Mr David Christopherson): We have a motion before us to adjourn the House. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please indicate by saying "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2213 to 2243.

The Deputy Speaker: Mr Levac has moved adjournment of the House. All those in favour of the motion will please rise and remain standing until counted by the Clerk. Thank you.

Now all those opposed to the motion will please rise and remain standing until counted by the Clerk.

Clerk Assistant: The ayes are 14; the nays are 19.

Interjections.

The Deputy Speaker: Order. You haven't won yet. The ayes being 14, the nays being 19, I declare the motion lost.

The member for Brant has a few moments left on the clock and then we will proceed to questions and comments.

Mr Levac: In the 10 seconds I have left, I want to make sure that we check Hansard to see how much debate was given by the members on the other side. Thank you very much.

The Deputy Speaker: Thank you. It is now time for questions and comments. Members have up to two minutes.

Mr Kormos: Here we are; it is quarter to 11 at night. We've got Tony Martin, the member from Sault Ste Marie, here. We've got Gilles Bisson, the member from Timmins-James Bay. We've got Rosario Marchese from Trinity-Spadina. We've got three other members on call. Ms Churley, of course, has done her leadoff. Jim Bradley is driving his Buick LeSabre from St Catharines-Niagara region to get back here to engage in the debate. It used to be a Roadmaster. I've always envied his vehicles.

It comes down to this. I listened carefully to the member during his interesting comments, speaking very profoundly of this seven generations concept. I enjoyed hearing from him in that regard.

The real problem here is in terms of management and the fact that this government, notwithstanding that it proposed to sit to midnight from now until the cows come home, is not going to get all of its legislation through. This government can't count on opposition parties to work with it so that the opposition parties facilitate the government's agenda. The New Democrats don't see that as their job here. It is not our job to facilitate the government's agenda.

This government is going to have to make some decisions. It is going to have to set some priorities. It is going to have to manage its bills better. It can't waste a whole bunch of time, as it has, putting garbage through this Legislature and then at the last minute say, "Oh, we need this bill real bad before the House adjourns for Christmas," and then having the lobbyists phone up New Democrats and say, "Oh, we really need this bill, and the Tories told us you're blocking." We're not blocking anything. We're doing our jobs. We're debating legislation. We're critiquing it. We are exposing it. That's our job. That's what we in the New Democratic Party caucus propose to do.

The Deputy Speaker: Thank you. There are two of you standing. Is there a reason why? I saw the member for Durham first. I have to go with whom I saw first.

Interjections.

The Deputy Speaker: Order. Wait a minute. You don't have the floor yet. Please just simmer down. Let the member for Durham have the floor, which I am now recognizing. Go ahead.

Mr John O'Toole (Durham): It should be on the record that the member from Brant did two things; actually, one might argue, three. One was to destroy half an hour of members' time, denying members the right to speak. Secondly, he made a disparaging remark at the closing end of shouting back and forth. I'm sure you

didn't hear it, Mr Speaker, but I did. I think it probably deserves an apology to a certain group in our community. He knows what he said. If he has the courage, he will stand and withdraw it.

With respect to the bill that's before us, it is important to remember that the government is moving forward to address, importantly, in Bill 90 under the Waste Diversion Act, 2001—and I think if I were to reflect for a moment in a sincere way, not particularly on his remarks but with respect to actions that are going on in municipalities, like mine in my riding of Durham, I believe that there is progress being made.

2250

I'm quite supportive of this bill. I know members on this side want this bill. It says, "The purpose of this act is to promote the reduction, reuse and recycling of waste and to provide for the development, implementation and operation of waste diversion programs." It's clear that they're opposed, as I understand it, to furthering debate on proper recycling programs in this province.

I'm surprised that the Liberal government on one side votes one way, and here again tonight votes another way. They voted to crush the debate on an important issue in Bill 90 that Minister Witmer has moved. It's almost frustrating. I'm thinking now of my constituents. They brought us here. They don't want to debate the issues.

Ms Di Cocco: Bill 90, waste diversion: the title, in my view, should have been, "The government is diverting responsibility," because one of the issues that is fundamental in relating to what the credibility factor is, or what the sincerity factor is in any of these bills, is that you put your dollars where your mouth is.

I made a suggestion previously in my debate that if the government took the \$40 million that is collected from the LCBO in the environmental levies that it has and put it into these programs, then it would show it has some sincerity with regard to this bill. This is a government whose track record is abysmal. They're the ones who cut the blue box program. They stopped funding it completely. Yet the population in Ontario—and I'm going to put this into the record—has grown by 800,000 people since 1995. As we grow in numbers, of course there is a lot more waste that we create. In this House, unfortunately, there is no sincerity with regard to this bill. But I do believe that the government has to appear to be doing something because of the pressures imposed by the public commentary these days. Therefore Bill 90 was an answer. But in my view, it is poorly thought out and there certainly are no funds to go with the waste diversion bill, Bill 90.

Mr Tony Martin (Sault Ste Marie): I rise tonight for this short couple of minutes to make some comment following the speech by the member from Brant and to say that, in keeping with the comments of my colleague from Niagara, in fact not only does this government not know how to manage, but they don't know how to govern either.

Many of you will remember in 1995 one of the big issues on the table was the issue of waste management.

We were trying to do something about it. We recognized it was a very complicated and difficult challenge, and it caused us no end of heartburn trying to figure out a way to deal with it. We had grief; "grief" is the word. We had programs coming out of our ears to divert the waste stream and investing in programs like blue box. These guys came in saying that we were being irresponsible.

But what have they done? It has been six years and here we are at five to 11 on the Monday night before we're going to rise for the Christmas break and then the recess, and they want us to pass this bill that, in any serious review, suggests that they still don't know what to do. They have no answer. There's no answer here. There's nothing in this bill. If you listen to the member from Brant or if you listen to our critic from Toronto-Danforth, there's nothing in this bill that's going to resolve this problem. They have a problem: they're shipping all their garbage now to the States. I guess out of sight, out of mind. The Minister of Municipal Affairs recognizes they have a problem. They table a bill and suggest that if they wave it around loud enough and wide enough and far enough, people will believe that they do. We see through that.

The Deputy Speaker: Just before I call on the member for Brant to respond, I do want to ask, especially the government benches, to please just keep things a little quieter. Again, the fact that it's 11 o'clock doesn't change the tone and the business that should be conducted here and the way it should be conducted. I haven't had to throw anybody out, and I really would like to keep it that way. With that, the member for Brant now has up to two minutes to respond.

Mr Levac: As always, I would like to thank the members from Niagara Centre, Sarnia-Lambton and Sault Ste Marie for their comments and their thoughtful presentations.

To the member from Durham I offer this: without checking Hansard, I would suggest that the air was rather hot coming out of you, because if you had checked with the member sitting beside you, you'd have recognized that I was responding to the very comments that he made that offended me. I'll give you an opportunity to talk to him and clarify the record. I don't need to have it clarified for me in Hansard; I'll just let you do a gentlemanly thing and check with him.

As far as the bill is concerned, I would like to bring to the attention of the House again that in my reference to the First Nations, there was no intention whatsoever for us to downplay the importance of what we've been learning for over 25,000 years from our First Nations people. If we care to really learn from the lessons that have been provided for us for 25,000 years, the seven-generation principle, if applied in this place, would get this planet earth back in shape the way it's supposed to be without legislation.

The other comment I would make to you is that in terms of corrections, as I've offered the minister of corrections a couple of times, pay attention to First Nations,

because they have an idea of how corrections should be improved.

As far as the joke and the camaraderie over on that side, you can make fun of the First Nations all you want, but if you think this is a joke, then go talk to them and find out that 25,000 years worth of how to raise a child and how to make our society better and the seven-generation principle would not allow us to have the legislation in this place, because Mother Earth would be in better shape than this government has been allowing it to become. The fact that you've cut the environment ministry and the fact that 56% of the funding has disappeared doesn't speak well for your appreciation of them, nor the seven-generation principle of our First Nations people.

Hon Dan Newman (Minister of Northern Development and Mines): On a point of order, Mr Speaker: The member from Brant made some reference to government members with respect to First Nations. No one said anything on this side of the House. I think that should be noted on the public record tonight, in Hansard. I don't know what the member is talking about. If he wants to say something was said on this side, he ought to say so. There was nothing said on this side with respect to First Nations, and he ought to know that.

The Deputy Speaker: Thank you. As to the chief government whip, I did ask you twice when I was sitting—I didn't rise, but I am going to caution you now that when I ask you to come to order, please do. I don't think there was an actual infraction of the rules, but I appreciate what had gone on, and I would ask everyone to bear in mind the respect that all honourable members have for each other. That will help us get through this.

With that in mind, the floor is open for further debate.

Mr Dominic Agostino (Hamilton East): Thank you, Speaker. First of all, I find it interesting that as you stood up—and with the rules of the House, normally there is a rotation here—I felt one government member—there's a whole bunch on that side—would have gotten up and spoken about this bill and taken the time allocated to the government. I really thought that when the Minister of Northern Development and Mines rose on his feet, he would maybe have used up 20 minutes allotted to the government to talk about this bill. I find it somewhat interesting. Here they are talking about the opposition, talking about how we're trying to delay this or about how we're not interested, and you have government members whose silence tonight on this bill is deafening. Their leadoff speaker spoke and they haven't spoken since. They have no intent of speaking on this bill again.

2300

Does that talk about the importance of this bill? Remember, this is a bill that they introduced in June of the year 2001. We're now in December. You talk about priorities again. It's a joke that this is a priority for this government. They brought this bill in in June, we're sitting here in December, they want to rush it through in one night, and now they have an opportunity to speak and none of them can get up and defend this bill. I don't know if they're embarrassed about it. I don't know if

they want the bill to die and pretend like they're trying to do something here.

Clearly, this government has absolutely zero, zip, credibility when it comes to dealing with the environment. This is the worst government in the history of Ontario when it comes to environmental protection. No government has done more to devastate our laws, our environment, our protection of the environment, than this Conservative government, right from day one. They've made cuts that have led to devastation. They've made cuts that led to the Plastimet disaster in Hamilton, which you're well aware of, Speaker, and they still today have not had the courage to call an inquiry to get to the bottom of what happened there. They've made cuts that led to the unfortunate disaster at Walkerton, where seven people lost their lives. This is this government's track record.

Interjection.

Mr Agostino: The member who is supposed to represent the people of Walkerton is heckling now in response. The member who represents the people of Walkerton now is siding with the government in the action they took in protecting the people of Walkerton.

Mr Bill Murdoch (Bruce-Grey-Owen Sound): Step outside and say that.

Mr Agostino: I ask you to say that in your own community, member.

Clearly, if you look at this government's track record when it comes to the cuts they have made to the environment, this government has shown a callous disregard for protection of the environment. They've cut. They took over in 1995 and all they have done is cut, cut, cut. They've cut the budget of the Ministry of the Environment: 1,400 jobs and 56% of their budget. They've weakened the Environmental Assessment Act and environmental protection. We've had more smog days in Ontario this year than we've had before; poor quality air days in Ontario continue to be a major problem. And what do they do? They point to the Americans: "It's not our fault. There's nothing we can do. It's those bad Americans." As usual, pass the buck somewhere else.

This bill is part of an ongoing lack of commitment by this government. This government decided they were going to get out of the business of helping municipalities with their blue box program, the only jurisdiction in Canada at the time who decided they were just going to walk away, that they no longer had a role to play in helping municipalities with recycling programs. They let the problem get bigger and bigger and bigger. We have a problem with landfill sites across Ontario. Toronto has a problem. Hamilton is going to have a problem, with an aging incinerator and landfill sites that are going to reach their capacity. This government decided in 1995 that they were just going to walk away. They no longer have a commitment to recycling programs, to the blue box programs in Ontario.

What's the best they do? They come up with this fluff five or six years later and then want to ram it through in one night six months after they brought it in because they think it's a priority now. Is this bill a priority, or are

maybe the leadership aspirations of cabinet ministers a priority and this is somehow trying to make them look warm and fuzzy? You know, "We care about the environment. We care about protecting people's health. We care about protecting the water. We care about protecting our environment."

This government doesn't care. They're more concerned about corporate tax cuts than they are in investing in the environment. Yes, it is expensive. There is a cost associated with making sure we have proper protection in place, that we have safe drinking water, that we have clean air, that we have landfill sites that don't fill up in half the time they're supposed to, that we have incinerators that work properly and don't pollute our air. Yes, it's an investment, but it's an investment in the health and well-being of Ontarians, an investment in our future, an investment in the kids who, on smog days in Ontario, if they have asthma, can't go outside and play because the air quality is so bad in this province.

We have an awful record with waste diversion in this province. Part of the reason is that the provincial government has decided to walk away. Look at other provinces. Nova Scotia decided they're going to work with municipalities. Unlike this government, which thinks municipalities are the enemy and just beats them up, the province of Nova Scotia decided they were going to put programs in place to actually reward municipalities financially. The more diversion from landfill sites that occurs, the more recycling, the bigger the grants that go to municipal governments in the province of Nova Scotia. Those types of programs encourage and help municipalities, with the financial help of the provincial government. Remember, this is the government that walked away. They said, "We have no role in this. We don't think we need to play a role in recycling, waste diversion, blue box programs. We don't care. It's not our priority." Six years later, they come up with this. That's not leadership on waste diversion programs. It's feel-good, sound-good, pound-your-chest waste diversion—"We care about the environment. Rah, rah, rah"—that does absolutely nothing in real terms. It does absolutely nothing.

The former Minister of the Environment said a few minutes ago, "We have a great record." Well, Halifax and Edmonton divert about 60% of their garbage from landfill sites. The city of Toronto diverts about one quarter, and the province of Ontario diverts about one third. This minister is proud of that record when you compare it to other municipalities.

Interjection.

Mr Agostino: Don't blame the municipalities. This is typical. Here we have again the former Minister of the Environment. The minister who was in charge when the Plastimet disaster happened in Hamilton and walked away completely without taking any responsibility for what happened is now standing here and is proud of the track record in Ontario. They're proud of that. Edmonton and Halifax have 65% and we have 33%. That's good enough for this minister. The former Minister of the Environment thinks that's a good record, something we

should be proud of. Frankly, that's something we should be embarrassed about in this province, because we don't do enough, because the province has walked away. The province has said to municipalities, "You're on your own. Tough luck. If you can't afford it, it doesn't happen. Throw it in landfill sites or burn it in old incinerators." That causes more problems than it solves.

To the former Minister of the Environment, I find it amazing. He's sitting here yapping away, heckling, and his members don't have the courage to stand up and defend this bill. Get your opportunity. Speaker, through you, they have their chance. Use your 20 minutes. Set the record straight. Tell us what the facts are.

Hon Mr Sterling: On a point of order, Mr Speaker: If the member had been present at 7 to 7:30, quarter to 8, he would have heard me speak. Don't blame me if you're out gallivanting around, and don't come into the—

The Deputy Speaker: Take your seat. That's not a point of order.

Interjection.

The Deputy Speaker: Order. It's your member that you're stopping from speaking.

The member from Hamilton East may continue.

Mr Agostino: I wish the member had paid some attention, because I was actually here and heard a great deal of his speech. There was some time-sharing there. It's unfortunate that the member got up and gave information to the House that is not accurate once again, as he just did a minute ago. I think he should maybe set the record straight and make it clear that I was here. I heard his speech. It's unfortunate he didn't notice. The reality is—

Interjections.

Mr Agostino: See, the problem is, they don't listen. They'll look at the Hansard tomorrow and they'll understand clearly what I said. Let me repeat it very slowly now so the minister understands it. What I said was, here he is yapping back and forth. His members have a chance to speak. I would encourage his members to use their 20 minutes. That's what I said. I knew the minister had spoken earlier. I wish he would just listen a little more, and then he wouldn't get up and issue statements that are false.

Interjection.

Mr Agostino: Another minister. She hasn't spoken on the bill. The junior minister of health, who hasn't spoken on the bill, is now heckling again. I say, you're next in the rotation. Use your 20 minutes—

Interjection.

Mr Agostino: Speaker, they're using it to heckle. Use your 20 minutes to speak on the bill. You have an opportunity.

2310

Hon Mrs Johns: If you have anything to say, speak to the bill. Stop harassing us and speak to the bill.

Mr Agostino: This is more entertaining than anything I have to say.

Again I say to the government, you have a chance to speak on the bill. If you think we're misinterpreting the

bill, if you don't think we're speaking to the bill, you get your 20 minutes; use it. Why are you not using it?

Interjections.

Mr Agostino: Now we have a third minister. This gets better; hang on. We now have the Chair of Management Board in the House. The Chair of Management Board wants to get into the debate too, but he doesn't want to speak. This is great. They don't want to speak.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): Don't be an idiot.

The Deputy Speaker: Order. First of all—no, second of all, then first of all. The associate minister of health, I have allowed some latitude since the member from Hamilton East is one of the biggest hecklers here, so there's a little bit of fairness there. I've allowed that and I think he understands that.

I want to say to the Chair of Management Board that he knows he crossed the line and I would hope he would stand up and withdraw that.

Hon Mr Tsubouchi: I withdraw.

The Deputy Speaker: Thank you. The member for Hamilton East.

Mr Agostino: I don't mind the heckling. I actually enjoy it. I think it's part of the debate in this place.

As I said to you, and I'll repeat it, if the members in the House want to speak to the bill, they'll certainly get their chance to. I wish they would take advantage of it. I don't think that's complicated. I don't know why someone would be offended by someone saying, "Speak to the bill." Isn't that what this place is all about? Isn't that what debate is supposed to be all about? Isn't that what this debate is supposed to be all about?

I think I've addressed the bill in detail. I've talked about the lack of commitment to the environment of this government. I've talked about the cuts they've made. I've talked about the fact that they have totally gone out of the business of the recycling program. I've spoken to the fact that they have totally walked away from working with municipalities when it comes to blue box recycling. I've said all that. I've said that this bill does absolutely nothing to help municipalities get on track in a financial way. I've talked about the fact that our track record in this province is brutal compared to other jurisdictions when it comes to the percentage of diversion that occurs. I've said all that. All that is addressed in this bill. It's all about this bill. It's all about what is not in this bill.

I've talked about the fact that this government introduced a bill in June 2001 and then brought it back at the beginning of December for one day of second reading but somehow thinks it's a priority. I think that refers to the bill. This bill was brought in by the government on June 26. It got first reading. It was brought back today for second reading. If that's not speaking to the bill, I'm not sure what is. I can repeat all the things the government hasn't done when it comes to waste diversion. But now they want us to believe they really care. They want us to believe that all of a sudden they care about waste diversion in this province, after six and a half years of

serious mismanagement of waste, with a crisis that's getting bigger every day.

We've got a problem now where we're trucking garbage across to Michigan. The alternative is to put it in a mine in northern Ontario, and it shouldn't go there. Part of the reason municipalities across Ontario look at these options is because of what they've been forced into by this government's lack of commitment to the environment.

Interjections.

Mr Agostino: They think it's funny. They think it's funny that they've walked away from the table. The former minister says, "Maybe you haven't said the whole thing. You've misrepresented this." Maybe in the two minutes they have, since they won't use the 20 minutes, somebody can get up and tell us what they've done between 1995 and the introduction of this bill when it comes to helping municipalities financially with waste diversion. Maybe they can tell us all that. Maybe they can tell us, if this bill was such a priority, if it was so important to them, why they brought it in in June this year and decided they weren't going to bring it back until the beginning of December, with two weeks left in the session. Maybe they can tell us that when they're speaking.

In their response, maybe they can tell us why they decided to eliminate the funding for the municipal blue box recycling and waste diversion programs. Maybe they can explain that to us if I'm not telling the whole story here. Maybe the government can clarify this: explain to us why Halifax and Edmonton divert 65% of their garbage from landfill sites and we divert less than one third. Maybe they can explain that to us when they have their two minutes. I think these are fair questions to ask.

Their record is clear on this. If you really want us to believe that you are somehow committed, explain to us why that's the situation we're in today. Explain to us why you haven't given any money to municipalities for these programs. There are no answers to this. There is only one explanation: a lack of total commitment to the environment.

In six and a half years we have seen disasters across Ontario. We have seen the people of Hamilton exposed to Plastimet and that disaster. We have seen the people of Walkerton who were exposed to their disaster, much greater than that of the people of Hamilton. So it's not isolated. It isn't happening simply in one pocket or another of the province. We've seen the reports from the OMA with regard to the number of deaths when it comes to air quality in Ontario. We've seen all this. That is the reality and those are the facts of our situation in this province today. This bill doesn't resolve those. This bill does nothing for municipalities.

We cannot, on this side of the House, support this fluff piece of legislation and believe that somehow it's going to work, it's going to fix the thing, and we're going to roll over and say to the government, "Here, go ahead. Have the bill," and pretend that this is something good, because it isn't. There is nothing here that will help. It

lacks financially; it lacks in what powers it gives to municipalities; it lacks in the work the province is doing with municipalities when it comes to waste diversion. And nobody on that side of the House wants to debate it.

I am left without much of an alternative here. This government doesn't want to talk about the bill. We've been talking about it. The NDP, as their House leader has said, has a number of people ready to speak about it. We have a number of people. We want to continue debate on it, but the government seems uninterested in engaging us in any kind of debate or in any explanation of this bill. Based on that, since the government has no interest whatsoever, at this point I would like to move adjournment of the debate.

Hon Mrs Johns: What a waste of time. You say we won't talk and—

The Deputy Speaker: Associate minister of health. Mr Agostino has moved adjournment of the debate.

Hon Mrs Johns: Shame.

The Deputy Speaker: One more outburst, associate minister of health.

There is a motion on the floor to adjourn the debate.

All in favour of the motion, please indicate by saying "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members—I'm sorry. Could you stand again, please, to make sure there's the required number. Thank you.

There will be a 30-minute bell.

The division bells rang from 2317 to 2347.

The Deputy Speaker: Mr Agostino has moved adjournment of the debate.

All those in favour of the motion please rise and remain standing until counted by the clerk.

Please be seated.

Order, please. The members for Sudbury and Essex, if you'd like to join us for the vote, please.

All those opposed to the motion will please rise and remain standing until counted by the clerk.

Clerk Assistant: The ayes are 8; the nays are 20.

The Deputy Speaker: I declare the motion lost. The member for Hamilton East still has a few moments left on the clock.

Mr Agostino: As I was saying earlier, to wrap up, this bill does absolutely nothing to help in waste diversion in Ontario. If you look at this bill, if you look at the government's track record when it comes to waste diversion in Ontario, it is a shameful record. That is why we have one of the worst records in the country when it comes to waste diversion: it is because this government has walked away. So when you bring this kind of bill to the table, you've got to add some financial support at the provincial level. This bill doesn't give the municipalities any real financial help. They got out of the business a long time ago. They got out of the business six years ago. As I said earlier, this is why Edmonton and Halifax—

Interjections.

The Deputy Speaker: Stop the clock, please. That's more than just an individual heckle; it sounds like it's almost organized.

Interjection.

The Deputy Speaker: That's my view.

Mr Kormos: Bill C-36 might apply.

The Deputy Speaker: The House leader for the third party is not being helpful. Please, we're just about there. Let us get there. Let the member for Hamilton East have his say and then there are two-minute responses available to those who want to respond. If I can have total order, please, then the member for Hamilton East may continue.

Mr Agostino: Clearly Ontario was a world leader in developing and dealing with waste diversion programs. How did we go from that position to having municipalities in cities like Halifax and Edmonton diverting 65% of their waste and Ontario diverting one third? Is it simply a coincidence that six years ago we got out of the blue box program, that we got out of the recycling program and that we basically said to municipalities, "You're on your own. We're not going to help you with this any more"? This is why we have trailed behind and this is why we're going to continue to trail behind unless there's a real provincial commitment to these programs.

There's no easy answer here. Landfills are very expensive. Incineration is very expensive. But I think when you invest in waste diversion programs and give municipalities some help, then it's an investment that is worth it in the long run. You're not going to see a return in a year or two. You're not going to see a quick fix, but it's going to set a pattern in place where municipalities are going to be able to deal with waste, where we're going to have waste diversion programs in place, which means we're going to have less need for landfill sites and for incineration. But it takes some provincial leadership to do that.

The Deputy Speaker: Members now have an opportunity to ask questions or make comments.

Mr Kormos: I listened carefully to the comments of the member for Hamilton East and I thought he was quite on point through the duration of the 20 minutes with respect to Bill 90, but then who am I to judge in that regard? I acknowledge that.

But I know he certainly had the attention of government members. I heard the minister of consumer and commercial relations saying, "Did not, did not, did not," repeatedly through the comments of the member for Hamilton East. I listened to and observed the junior minister of health become very outraged at the comments of the member for Hamilton East. I saw the Chair of Management Board sort of load his briefcase very agitatedly and just charge out of here—he doesn't have to put up with that garbage from the member from Hamilton East. I saw the Minister of Northern Development tighten up his tie and get the jacket on and button her up. He was going to take on the member for Hamilton East, and then he sort of forgot what it was he was going to take him on about, or somebody else. He forgot what he was going to take him on about, so he huffed—he doesn't have to put up with that any more. He marched out of the House.

These guys have simply got to start managing—I'm talking about the government—their legislative business better.

Interjections.

Mr Kormos: They do. They don't understand that it's the job of opposition members, and it's a job that New Democrats intend to fulfill, to critique, to analyze, to expose the flaws and the weaknesses in government legislation, and as Marilyn Churley did on this bill, to present amendments at committee to make the bill better and make the bill perhaps closer to what the government says it is. Every one of those amendments was rejected by the government. Maybe a little less huffing and puffing by some irate government members and some more serious debate would improve the whole process.

Mr Steve Gilchrist (Scarborough East): Many times over the last six years we have tried to raise with the general public that when debate takes place in this House, there are always substantive contributions from this side. We're often challenged, on the other side, that there's nothing but rhetoric, that there's a lot of hot air.

I think tonight we have it on the record. We have proof from the member for Hamilton East. He stood in his place and said, "I'm finished. I have nothing else to say." Then when we came back after a wasted half-hour, he spent another minute and 53 seconds proving he had nothing to say, as he always has nothing worth listening to. To have wasted an hour, at great expense to the taxpayers, of the affairs of the Legislative Assembly—for what? To prove that they have early-onset Alzheimer's? I would remind the member that a scant 11 hours ago, he voted in favour of midnight sittings. So why, an hour and a half ago, did they start standing up and suggesting that it was time to go home?

I don't know what was on TV, on Teletoon or one of the other forms of higher learning that the member from Hamilton East indulges in, but I suggest that his time would have been better spent there than wasting our time here in the chamber, because people in the province of Ontario do want to hear about environmental initiatives. They do want to hear about better ways to deal with the waste stream. They want to hear about another initiative from a government that has created more parkland than any other government in the history of this province; in fact, in the history of the world. They want to hear from a government that has set the toughest air quality standards and water quality standards of any jurisdiction in North America.

But the member doesn't want to hear that and he doesn't want the public to hear that. He wants to hear more blathering; he wants to hear more bells. The time is up. We want to hear real debate. We want to see this bill passed.

Applause.

The Deputy Speaker: All right. You've made your point.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker.

The Deputy Speaker: The chief whip for the third party. I'll give you the point of order, but it better be good.

Mr Bisson: I'm asking for unanimous consent to give Mr Gilchrist another two minutes.

The Deputy Speaker: I heard a no. I'm not sure that was all that helpful.

Interjections.

The Deputy Speaker: Order, please. We are going to finish these responses regardless of how long it takes. It is in your hands.

Interjection.

The Deputy Speaker: Member for Niagara Centre, you've had your fun.

Interjection.

The Deputy Speaker: Yes, you're welcome. OK, will everybody, just for one nanosecond, remain quiet. Thank you. The member for Prince Edward-Hastings.

Mr Ernie Parsons (Prince Edward-Hastings): I am very sensitive and I appreciate you enforcing the no heckling rule for at least the next two minutes.

I had the pleasure of being in Windsor today and meeting with groups who came to talk about the Ontarians with Disabilities Act, as did a number of members from all the parties there. I was hopeful though that, if I drove back quickly, I would be able to hear the government's perspective on this bill, their plans for it and their commitment to it. Quite frankly, I was very disappointed. I realize I arrived late from Windsor. My first thought was that it is wrong for them to not stand up and tell us what they know about the bill, but then I realize probably it is better that they not stand up and tell us what they don't know about waste diversion. It did not make sense to continue without hearing the government's side.

This is an extremely vital issue. This government has always been committed to what is the cheapest way to get rid of garbage. That has always been to take it and bury it somewhere in a field. But as we've learned with Walkerton, our water supply is irreplaceable. Our water supply is one of the most important factors that enables us to survive as humans. We are hearing talk about putting money into water treatment plants and we are hearing about putting money into testing these plants, but for most of Ontario that is rural, putting garbage into the ground is simply producing a toxic soup that will show up one, two, three—it has been suggested seven generations later and will poison the land forever. We are not hearing any commitment out of this government to the people of rural Ontario to recognize that we are not looking for the cheapest way to get rid of the garbage; we are looking for the safest way to get rid of it. We have not seen in actions any interest at all in doing waste diversion, other than making money for a large company. Enough said.

2400

Mr Bisson: I enjoyed the comments of the member from Hamilton Centre, I think it is. He made the point that quite frankly the government has had no plan when it comes to waste diversion since taking office in 1995.

The only thing I've heard them do concretely was one plan to take Toronto's garbage and ship it by rail to Kirkland Lake. That made no sense. Heck, even the city of Toronto councillors voted in opposition to that one. Then the government comes here and brings this bill, full of flaws, that we have some objection to, and they're getting somewhat upset because we are objecting to this legislation. The legislation, quite frankly, is flawed.

I say to the government across the way, if you're so interested in your bill and you're so interested in telling us about your agenda, why don't you get up and debate? Instead, the government has sat down all night, has done absolutely nothing to advance its points about why they think this debate is good. At the very least, get up and say, when Mr Levac or Mr Agostino or Ms Churley get up, "Here are the reasons why we think those members are wrong and why we think we are right." But the government never did that. It comes back to what my colleague the House leader for the third party, Mr Kormos, has said: this government does not have a House strategy and does not know how to manage its agenda through the House, even with all the rules they have been given.

I'm not going to get into telling the government what its strategy should have been tonight, but Janet, you should have been thinking a little bit a couple of hours ago because it's clear you guys have no strategy in this place. I'm not going to tell the government what they should be doing, but I can tell you, if the government thinks that they're—

Interjection.

The Deputy Speaker: There's a point of order. Please take your seat. Stop the clock. Because the government members have been the ones doing most of the interjecting here, I'm going to take your point of order, but the clock will remain stopped. We could have and should have been adjourned a minute ago. Every time now the government members or the opposition members heckle, I'm going to stand up and stop the clock, and this House can't adjourn until we are done. There's no reason that we can't do this in the proper, acceptable fashion.

Mr O'Toole: On a point of order, Mr Speaker: It is most appropriate—

Mr Kormos: I'm heckling.

The Deputy Speaker: The member for Niagara Centre, this is a warning. One more utterance out of order and, for what it is worth, you're out of here tonight. We will see how much honour matters.

Mr O'Toole: A somewhat feeble warning, but nonetheless, Mr Speaker, my point of order is that the member from Timmins-James Bay should always use the member's riding, not the name. Our honourable House leader, especially a minister, needs to be respected, not in name, but in her riding.

The Deputy Speaker: You're absolutely correct. I would ask the member from Timmins-James Bay to respect that.

Mr Kormos: On a point of order, Mr Speaker: I wanted to speak to that point of order.

The Deputy Speaker: I've already ruled on it. Thanks for your offer of assistance. Please take your seat.

Mr Kormos: I want to assist you.

The Deputy Speaker: I know you want to assist me. It is why you get up every day. Please take your seat. Please start the clock again. The member for Timmins-James Bay.

Mr Bisson: Speaker, I need not say any more. There is no strategy on that side of the House when you see members getting up on such points of order. If you've got something to say, stand up and say it. If you're not getting up and you're saying nothing and you can't figure out a strategy, don't come whining to us in the opposition at 12:03 tonight.

The Deputy Speaker: The member for Hamilton East has up to two minutes to respond.

Mr Agostino: I thank the members for Niagara Centre, Scarborough East, Prince Edward-Hastings and Timmins-James Bay for their comments in regard to the bill. First of all, let's understand one thing: this government brought this bill in in June 2001. They throw this bill back on the table at the beginning of December and expect us to simply co-operate, without bringing out any opposition to it. The government had a lead hour and then spoke nothing further to the bill. Nobody got up. They had their chance, because they had their 20 minutes. Nobody got up. They get all upset at us on this side of the House.

Interjections.

The Deputy Speaker: Order. Stop the clock. Please continue.

Mr Agostino: I actually enjoy the heckling because obviously it means you're getting something across that they're not happy about. The reality is, if this bill was important to this government, they could have brought it earlier. You could have allowed some proper debate. I know what you're going to do now: you're going to bring closure to this bill, as you do to every other bill that you bring in here. That's the nature around here. In opposition, our job is to bring out flaws in legislation. That is what we get paid to do. That's our responsibility. Our job is to oppose bills that we think are flawed. That is the role we are here to do in opposition, and this bill is badly flawed.

There's no financial commitment. There's no real responsibility here on behalf of the provincial government. It is simply something that isn't worth the paper it is written on because there's nothing to back it up. That's our concern on this side of the House. Waste diversion is important, but you've got to put the money behind it. They walked away from the table. That's why we have a record that only one third of diversion occurs in Ontario. There's no responsibility by this government when it comes to dealing with environmental protection. This is another classic example. Then they want the opposition to roll over and say, "Here, we will give you the bill tonight." It ain't going to happen, because this bill has got to be changed, it has got to be amended, it has got to be fixed. There's got to be some money put to it to mean

something to municipalities. Right now, it means nothing.

The Deputy Speaker: Let me thank all members for the co-operation in the final couple of moments. It is much appreciated. I did not want to stay here any longer than you did. With that, it is now well after 12 o'clock.

This House stands adjourned until 1:30 pm tomorrow afternoon.

Hon Mr Newman: Today.

The Deputy Speaker: Today, you're right.

The House adjourned at 0006.

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Galt, Steve Gilchrist, John Hastings,
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons
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**Assemblée législative
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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 4 December 2001

Mardi 4 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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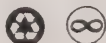
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 décembre 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

WASTE DISPOSAL

Mr Ernie Parsons (Prince Edward-Hastings): My statement today is to the Minister of the Environment. As you're very well aware, Canadian Waste Services is proposing to take a small local dump and convert it into a huge megadump. This is a company with unlimited financial resources, and they are being held accountable by a group of citizens who have to have yard sales to get any funding to put forward their perspective. This is simply not fair or equal. From the get-go, your ministry has taken in and very clearly supported and favoured Canadian Waste Services.

You are the Minister of the Environment for the people of Ontario. This dump has the potential to leak toxic leachate and destroy the water supplies of eastern Ontario for generations to come. I call upon you to fulfill your role as minister of the people. Intervene. Provide the people of the community with the resources and support they need. You have scoped the entire process so much that it has become meaningless and provides no protection for the people. You don't even require that Canadian Waste Services prove there is a need for the dump.

There is something fundamentally flawed when the citizens of Ontario have to fundraise to fight their government. Show some interest. Show some leadership. Our legacy to future generations must be an ample supply of clean water, not a huge mountain of garbage that will destroy the landscape and, even worse, leak into the ground. Minister, do the right thing: fight for clean water; fight for your citizens.

LOYALIST COLLEGE

Mr Doug Galt (Northumberland): I rise in the House today to recognize a partnership among Loyalist College of Belleville, Frontstep Inc, Progress Software and Dell Computer Corp.

In the rapidly changing world of business, it is important that Ontario students receive the most up-to-date training available. This strategic partnership will allow business school students at Loyalist College to have access to a curriculum based on advanced technology and applied business processes. These skills are necessary for students to excel at roles in materials management,

human resource management, financial management and professional sales.

The partnership will also allow students to gain hands-on experience with leading-edge enterprise management software. Knowledge such as this will be extremely useful when these students graduate and enter the working world.

Ontario's colleges and universities are constantly updating their curricula to provide our students with the best education possible. Through endeavours such as this, we are opening doors for our young people and allowing them to better understand what the business world has to offer.

As always, Loyalist College is demonstrating leadership and innovation by co-operating with the private sector to provide this new educational opportunity. I wish Loyalist and their new partners all the best in this new initiative.

INCINERATION

Ms Caroline Di Cocco (Sarnia-Lambton): I'd like to bring to the attention of this House that the extreme policies of the provincial Conservatives are continuing to put people's health at risk and are causing long-term damage to the environment. According to the Environmental Commissioner, air emissions from the burning of toxic liquid waste at the Safety-Kleen incinerator in St Clair township, the largest hazardous incinerator in Canada, are at lower standards than the 1995 provincial standards for non-hazardous incinerators.

So-called improved amendments to the incinerator in 1998 have actually allowed an increase in contaminant emissions. This is dangerous and alarming because this incinerator emits the largest amount of mercury in this province as well as dioxins and other toxic substances into the air.

This extreme neo-conservative government's lack of comprehension, lack of action to raise the standards in this very serious situation, once again shows this government's disregard toward environmental issues as well as a disregard for the impact on people's health and safety in St Clair township.

AFFORDABLE HOUSING

Mr Michael Prue (Beaches-East York): Last week the housing ministers from across Canada met in Quebec City, and this government sent along, of course, its housing minister, the Honourable Chris Hodgson. At the

end of the session, there was much hullabaloo and a whole bunch of announcements were made, and a new plan came forward.

The bottom line on that new plan says that there is going to be a bilateral agreement with all of the provinces and territories; therefore, it's unnecessary for the provinces to come on board.

Right off the mark Quebec was there with dollars and programs and commitment, and so were Nunavut, British Columbia and most of the other provinces. Unfortunately, that was not the case for Ontario.

The province is going to have to match funds with the federal government or have matching funds available for a third party. This province has given only a paltry \$20-million commitment, and the rest, I suppose, is going to come from third party funding, from cities and from people who can't afford it.

Where are the cities supposed to get these funds? That's what I think the minister has never come clear on. Where are they to get the funds? We see from this province's own auditor's report that the cities have been ripped off, especially the city of Toronto, by hundreds of millions of dollars in downloading, and it's not revenue-neutral. Where are they to get the funds? If we are to build it, this province must come forward with the funds for housing and must come clean with the city of Toronto.

STRATFORD FESTIVAL

Mr Bert Johnson (Perth-Middlesex): I rise today to tell fellow members of this House about the 50th season of the Stratford Festival, to be celebrated this coming season.

To help the festival celebrate its 50th season, artistic director Richard Monette will return to the stage to play Henry Higgins in *My Fair Lady*, opposite Cynthia Dale's Eliza.

Other stars who will grace the stage in 2002 include Christopher Plummer, who will play King Lear; and William Hutt, a member of Stratford's inaugural company of actors since 1953, who will play the King of France in *All's Well that Ends Well*.

The festival has something else to celebrate this season. On July 13, the festival's fourth venue, the Studio Theatre, will open in downtown Stratford.

In 1952, Stratford resident Tom Patterson envisaged a theatre festival in his hometown. In 1953, his vision came to life and has since grown from a six-week event held on one tented stage into a six-month extravaganza held in four permanent theatres. The festival now generates about \$340 million in economic activity every year. It supports more than 6,000 jobs and accounts for 12% of the tourism in southwestern Ontario. Last year, 600,000 tickets were sold.

I urge all members of this House to mark April 24 of the year 2002, this season's opening night, on their calendars, and I would be pleased to welcome members

from both sides of this House to my riding to enjoy this summer's festival.

BAY OF QUINTE WALLEYE FISHERY

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I want to commend the good work done by many concerned stakeholders of the Bay of Quinte walleye fishery. For many weeks now, local commercial fishers, anglers, aquaculturists, hospitality and service sector groups have worked very hard to voice their objections to the ministry's plan to hold invitation-only meetings in Dorset on this fishery issue.

This issue, of course, is the fact that the future of the walleye fishery in the Bay of Quinte was to be considered at workshops with ministry-chosen participants in Dorset, some 300 kilometres from the fishery.

1340

Yesterday, the Ministry of Natural Resources announced that the invitation-only workshops scheduled for December in Dorset have been postponed until the new year and will be relocated. Details of when and where the rescheduled meetings will be have yet to be determined.

It is absolutely essential that the Ministry of Natural Resources provide a format for consultation that will be open and accessible for all stakeholders. It must provide an opportunity for participants to be heard by the entire community; hence, an open house format will not be acceptable. The consultations must take place in the Bay of Quinte area, preferably in more than one location. That is what the people involved in the pickerel fishery want, and Ontario Liberals believe that is what they deserve.

FEDERAL ECONOMIC POLICY

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): I call your attention to the extreme pressure on the health budget. This pressure is building and building because of the indifference and neglect of Ontario's 101 dalmations—I mean Liberal MPs. I know these MPs were elected by default, with no national opposition to stop them. We know they take their Ontario seats for granted and that they feel they can go on forever, unopposed. One of my constituents told me unemployment was rising. I asked her how she knew. She said, "Look at the Ontario federal Liberal caucus: another 101 Ontarians not working."

Because the arrogant federal government feels safe neglecting Ontario, we now have a situation where the federal government has a \$17-billion surplus but they can't be bothered to pay their fair share of the health costs for the Ontario voters who elected them. Even Brian Mulroney was a better contributor to health spending than Chrétien is, and Mulroney had to deal with a \$40-billion deficit. Jean Chrétien has no such excuse.

I want to congratulate Premier Harris for bringing all these issues out into the open for honest debate. Liberals in Ottawa and Liberals here at Queen's Park would rather we didn't talk about awkward situations like these, but

then Liberals everywhere have always been better at spending the money than they are at paying the bills.

DANIELLE CAMPO

Mr Dwight Duncan (Windsor-St Clair): Later today I will be joining with Her Honour the Lieutenant Governor in paying honour to a constituent of mine named Danielle Campo. Danielle is a 16-year-old woman who last summer won three golds and a silver in the 2000 Paralympics in swimming.

Applause.

Mr Duncan: Yes. This young woman is in grade 11 at St Anne high school in Tecumseh and she works out—I know, like the Chair of Management Board and myself—about four hours a day: two hours in the pool, two hours dry. She has brought great honour not only to the town of Tecumseh and to the riding of Windsor-St Clair, but indeed to the people of Ontario. I know all members join me when I pay tribute to her and tell her what an inspiration she is, not only to us here in this House but to all of her fellow citizens.

I just want to read briefly something that's been said about her. She is "an exceptional athlete who happens to have muscular dystrophy, and she has worked hard to make sure that people see her first as an athlete and not as someone held back by a disorder. She has overcome the irony of having to work at this by maintaining the proviso that people will notice what you can do, not what you can't do."

And this is what Danielle said: "My attitude is that people should see me as 'Danielle the accomplished athlete on the Canadian swim team,' and not as 'Danielle with muscular dystrophy.'"

Danielle, all of us in this province see you as a remarkable young woman and we are all really proud of your enormous achievements.

JOAN FLOOD

Mrs Margaret Marland (Mississauga South): I rise today to pay tribute to Her Worship Joan Flood, mayor of Essex, who died last Wednesday. I have two feelings in my heart today: one of extreme sadness in Mayor Flood's premature passing, and one of joy and gratitude for her life's accomplishments.

Joan was always a role model for all of us as people committed to serving the public in our communities. She was first elected to the Essex county school board in 1981 and served there for 17 years, and then was elected as the first mayor of the newly amalgamated town of Essex in 1998.

She was a very close friend of our Minister of Colleges and Universities, the Honourable Dianne Cunningham, and I want to read Dianne's description in a letter she wrote to Mayor Flood's husband, Chuck.

Dianne said she was always outstanding in her leadership, in "her good advice and honour, her integrity, her enthusiasm and wonderful sense of humour, her vision!

Our country cries out for leadership like Joan's—Essex has been the recipient of her common sense and working in partnership with others."

I wish to extend on behalf of our caucus our deepest sympathy to her family, her beloved husband, Charles, her four children and her grandchildren, and the balance of her family who supported her throughout her political career.

VISITOR

The Speaker (Hon Gary Carr): Just before we begin, we have in the public west gallery a former colleague of ours, Mr Richard Johnston, who was the member for Scarborough West for the 32nd, 33rd and 34th Parliaments. Please join with me in welcoming our former colleague.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

Mr Toby Barrett (Haldimand-Norfolk-Brant): I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee recommends that the following bill be not reported:

Bill 51, An Act to help save the lives of Ontarians who suffer from cardiac arrest by promoting the widespread availability and use of portable heart defibrillators in public places / *Projet de loi 51, Loi visant à contribuer à sauver la vie des Ontariens qui souffrent d'un arrêt cardiaque en promouvant la disponibilité et l'usage généralisés de défibrillateurs cardiaques portatifs dans les lieux publics.*

The Speaker (Hon Gary Carr): Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1348 to 1353.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Simple. All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Amott, Ted
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Bountrogianni, Marie

Gerretsen, John
Gilchrist, Steve
Gill, Raminder
Gravelle, Michael
Guzzo, Garry J.
Hampton, Howard
Hardeman, Ernie
Hodgson, Chris

Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Prue, Michael

Boyer, Claudette
 Bradley, James J.
 Brown, Michael A.
 Bryant, Michael
 Caplan, David
 Chudleigh, Ted
 Clark, Brad
 Cleary, John C.
 Clement, Tony
 Coburn, Brian
 Colle, Mike
 Crozier, Bruce
 Cunningham, Dianne
 Curling, Alvin
 DeFaria, Carl
 Di Cocco, Caroline
 Dombrowsky, Leona
 Duncan, Dwight
 Dunlop, Garfield
 Ecker, Janet
 Elliott, Brenda

Hoy, Pat
 Hudak, Tim
 Jackson, Cameron
 Johns, Helen
 Johnson, Bert
 Klees, Frank
 Kormos, Peter
 Kwinter, Monte
 Levac, David
 Marchese, Rosario
 Marland, Margaret
 Martin, Tony
 Martiniuk, Gerry
 Maves, Bart
 Mazzilli, Frank
 McLeod, Lyn
 McMeekin, Ted
 Miller, Norm
 Molinari, Tina R.
 Munro, Julia
 Murdoch, Bill

Pupatello, Sandra
 Ramsay, David
 Runciman, Robert W.
 Ruprecht, Tony
 Sampson, Rob
 Sergio, Mario
 Smitherman, George
 Snobelen, John
 Sorbara, Greg
 Spina, Joseph
 Sterling, Norman W.
 Stewart, R. Gary
 Stockwell, Chris
 Tascona, Joseph N.
 Tilson, David
 Tsubouchi, David H.
 Turnbull, David
 Wilson, Jim
 Witmer, Elizabeth
 Young, David

information question about what happens to this bill. I would suggest that these matters are usually discussed at the House leaders' table. I'd be quite happy to raise it with the House leader and we can talk about what would happen with that bill. I think that's the appropriate—

The Speaker: Thank you. I'll clarify it.

Please, the member for Niagara Centre, very short, if you could.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Is that the faint hope clause?

The Speaker: The report will go back to the committee. Those who are members of that committee can then decide what to do. It is now in the committee's hands, what they would like to do. I'm sure that with goodwill and co-operation—I understand that this may be one bill that is non-controversial and may have support. If that is the case, then the House leaders hopefully will be able to get together, and for whatever happens, this is a step—

Interjections.

The Speaker: Order, if we could, please.

We'll just try to be very short and then we can move on to the partisan wrangling.

With goodwill and co-operation, hopefully the committee can then make the decision to proceed. Whatever has gone on has gone on, and hopefully we can move forward and do what's in the best interests of the people of Ontario, which I'm sure everyone would like to do.

Mrs Lyn McLeod (Thunder Bay-Atikokan): On a point of order, Mr Speaker: As the whip for the committee on justice and social policy, as you will know, government business at any committee takes precedence over any private member's legislation. The only reason there was an opportunity for the justice and social committee to deal, first, with Mr Colle's bill on portable defibrillators and, second, with Mr Dunlop's bill, a government member's bill, this afternoon is because the government's business on a previous bill ended early.

The committee's schedule is now full with government business, and I would ask how this measure can now be referred back to committee.

The Speaker: —the committee needs to be able to decide. My hands unfortunately are tied in this instance. I am not capable of producing any more time, and I'm not sure if anything can be worked out. Hopefully, they can. I understand the circumstances, but unfortunately it's back in the committee's hands and it is their responsibility.

1400

INTRODUCTION OF BILLS

NIPISSING UNIVERSITY ACT, 2001

Mr Miller moved first reading of the following bill:
 Bill Pr25, An Act respecting Nipissing University.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The Speaker: While the Clerk is tabulating the votes, if members could please remember to stay in their seats during the vote. It is confusing for the people counting. If people are moving, they don't know if they voted and inadvertently you could vote twice. I would ask for all members' co-operation, please.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 0; the nays are 86.

The Speaker: I declare the motion lost.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek your guidance with respect to this bill. It's a serious matter. This particular piece of legislation was passed by the Legislative Assembly of Ontario and referred to committee. My understanding is that the government used its majority in committee, first of all, to defeat the title of the bill, defeat all the amendments that were put to the bill and then vote to not report the bill back to the House. A government member presented that motion, which had been endorsed by all members, as I understand it, of the government sitting on that particular committee. My question is, sir, what happens to this bill now? It's in some sort of—

Interjection.

Mr Duncan: I say to the Minister of Labour, it's a very significant issue. It's about heart defibrillators.

The point of order, Mr Speaker—

The Speaker: Order. Thank you very much. Acting Premier, please. The member is just about finished.

Mr Duncan: I hate to use a grammatically incorrect double negative, but the government voted against receiving a report that said not to receive the bill. I guess the clarification we need from you is, Mr Speaker, what becomes of that bill at this point?

The Speaker: Just very quickly, I have stopped trying to figure out what may happen. The government House leader may give us some clarification on what could potentially happen with the government's—government House leader.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I appreciate that the honourable member across the way is asking you an

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

AJAX PICKERING TRANSIT AUTHORITY ACT, 2001

Mr O'Toole moved first reading of the following bill:
Bill Pr26, An Act respecting the Ajax Pickering Transit Authority.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

ONTARIO COLLEGES OF APPLIED ARTS AND TECHNOLOGY ACT, 2001

LOI DE 2001 SUR LES COLLÈGES D'ARTS APPLIQUÉS ET DE TECHNOLOGIE DE L'ONTARIO

Mrs Cunningham moved first reading of the following bill:

Bill 147, An Act respecting the establishment and governance of colleges of applied arts and technology /
Projet de loi 147, Loi concernant l'ouverture et la régie de collèges d'arts appliqués et de technologie.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement. Oh, she's doing a ministerial statement? Thank you.

STATEMENTS BY THE MINISTRY AND RESPONSES

POST-SECONDARY EDUCATION

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): The rapid pace of change in our society in the latter half of the 20th century and the beginning of the 21st century has placed significant demands on our post-secondary education and training systems. The rapid transition to a knowledge-based economy means that an ever-increasing level of educational attainment for our students will be critical to ensuring the economic and social success of Ontario and its citizens. Our government is committed to providing access to the lifelong learning opportunities necessary to maintain that success.

I am proud to mention the following milestones:

The capacity at our colleges and universities is being increased to address the expected student enrolment growth over the next 10 years.

Through SuperBuild, we have launched the largest expansion of Ontario's colleges and universities in more than 30 years. The government is spending over \$1 billion to create new spaces for future generations. With our private sector partners, that is about \$1.8 billion.

In addition, to ensure that there will be faculty and resources to support these new students, we are increasing operating grants by up to \$293 million over 2000-01 levels.

We are also working to ensure that our post-secondary programs are meeting the needs of today's students and employers. That is why we provided \$228 million to launch the access to opportunities program to create an additional 23,000 spaces in high-demand programs such as computer science—programs that students want.

To help students and parents plan, we also froze tuition increases at 2% per year for most programs. This means that students will know the cost of their chosen program's tuition for the next four years.

Today, happily, long overdue, we are introducing the Ontario Colleges of Applied Arts and Technology Act, 2001, another element in our comprehensive plan to better serve the changing needs of students and our workplaces.

In 1965, then-Education Minister Bill Davis introduced a bill that established a college system for Ontario. It was a revolutionary concept, a new level and type of education. He envisioned a network of colleges across the province offering occupation-oriented programs designed to meet the needs of the local community.

In his statement to the Legislature Mr Davis explained, "In this new age of technological change and invention, it is essential to the continued growth and expansion of the economy of our province, and of our nation, that adequate facilities be made generally available for the education and training of craftsmen, technicians and technologists."

In 1967, 19 colleges opened. Over the years, that number grew to 25 in order to meet community needs. Colleges of applied arts and technology are now present in 200 communities across this great province.

At the introduction of the legislation founding the college system, Mr Davis noted that the new colleges were designed to meet the economic and social demands not only of 1965 but into the future.

Over the years, our colleges have done an excellent job of providing students with skills that lead to employment. Approximately 45,000 full-time students graduated from the system in 1999-2000. Last year, 91% of graduates were employed six months after graduation, and 91% of their employers were satisfied with the training graduates had received.

However, the tomorrow of which Mr Davis spoke is now here. Technological and economic change has far exceeded anything that could have been imagined in the 1960s. It is time to match the original vision of the college system with a vision for the 21st century. Today our colleges need to be more flexible and market-driven. They need to be able to respond quickly to market

demand, to give students and employers programs that will provide the skills needed in today's, and tomorrow's, economy.

The Ontario Jobs and Investment Board recommended a new charter for colleges to support their very important role in providing a well-trained workforce to maintain Ontario's economic strength. Colleges have asked for a new charter as a way to provide some enhancements in the role of colleges as well as enabling colleges to better meet the needs of students and the workforce.

The legislation this government has introduced will, if passed, build on the success of our great college system. It would respond to today's needs by allowing colleges to continue to develop and respond more effectively to the **needs of their students and their communities**. It is important to note, however, that when we speak of communities today, we are speaking both of geographic communities and of knowledge communities.

The current legislation treats all colleges the same. However, the characteristics of Ontario's 25 colleges vary considerably in size and in the nature of local communities they serve. They vary in the range of programs they offer; they vary in the partnerships they have with local businesses, industry and other education institutions; and they vary in the way in which they deliver programs and courses, whether in classrooms, through apprenticeship, over the Internet, in remote communities by day or by evening.

We want to enable colleges to be better able to respond to the different circumstances of their communities, their student bodies, their local economies or their unique areas of specialization.

One of the strengths of the college system has been its ability to anticipate and adapt to change. New legislation and regulations would modernize the framework for colleges and would support the colleges in adapting to the needs of the 21st century.

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Colleges need to have the ability to concentrate on specific areas of learning that meet the needs of the communities they serve. We have many examples of areas of specialization that have developed at colleges throughout Ontario, such as Centennial's expertise in transportation or Sir Sandford Fleming's renowned School of Environmental and Natural Resource Sciences.

We have examples of strong partnerships with industry, such as Georgian's Canadian Automotive Institute, which serves Canada's automotive marketing industry. Colleges need to be able to continue to grow and develop in emerging areas of need, such as Algonquin and Niagara colleges' development in partnership with Photonics Research Ontario, of new, leading-edge programs in photonics technology, and through our \$2-million transportation technology strategic skills initiative as Fanshawe College partners with John Deere in maintaining Ontario's gateway to global markets.

All of our colleges in their own ways are providing significant leadership and are playing increasingly diverse roles in economic development. For example, the

Northern Centre for Advanced Technology—NORCAT—at Cambrian college is involved in developing new technological applications and prototypes for mining and related industries. A number of our colleges are beginning to become involved in applied research in areas of unique expertise.

Clearly, in a province as dynamic and diverse as Ontario, there is no one size that fits all our colleges. What is appropriate and necessary in one part of the province may be inappropriate in another.

It is our intention to give colleges more autonomy, while still holding them accountable for public dollars. If passed, this legislation would modernize the accountability relationship between college boards of governors **and students, the public they serve and the government**.

Modern accountability relationships focus on public reporting against projected outcomes. College activity would be more focused on outcomes if this legislation is passed, meeting student and employer needs. The role of the government in day-to-day operations of institutions should be limited.

Our goal is to enhance existing opportunities for boards of governors to define the unique role each college will play in its local, regional, national and/or international communities. We want to give college boards increased responsibility for managing autonomously some functions, such as real estate transactions.

We consulted extensively with members of the college system in adopting this present direction. Working together, we will provide opportunities for a new generation to take their place in strengthening our economy and our communities.

Ontario has one of the highest post-secondary participation rates in the world. Our provincial government is working with students to ensure they continue to have access to a high-quality post-secondary education **that** will prepare them to lead successful, productive lives.

If passed by the Legislature, the Ontario Colleges of Applied Arts and Technology Act, 2001, will enable colleges to better provide students with more opportunities and a full range of choices to acquire the skills they need to succeed.

This provides us with an opportunity to thank ACAATO, the colleges themselves, their staff, their students, their boards, OCCSPA, student representatives, the TCU—training, colleges and universities—staff, and everyone who partnered in a very long process to come to today.

We have agreement among all of us, not only for legislation but for regulations, and I think this is a milestone in the working relationship between the government and our colleges. Of course, I give thanks also to my critics. They've worked along with us over a long period of time.

Today I'd like to recognize Harold Rundle, president of Fanshawe College, who is with us; Tim McTiernan, the chair of the committee of presidents and president of Canadore College; Dan Patterson, vice-chair, COP and president, Niagara College; Robert Gordon—that's a new

name for Squee, isn't it?—president of Humber College; Brian Desbiens, president, Sir Sandford Fleming College; Gisèle Chrétien, president, Collège Boréal; Susan Bloomfield, the chair of ACAATO; Jim Drennan, chair of the Georgian College board; Pierre Richard, chair of the La Cité collégiale board; Beverly Townsend, chair of the Loyalist College board; Dianne Miller, chair of Confederation College's board; Tracy Boyer, executive director of OCCSPA; and last but not least, Joan Homer, the executive director of ACAATO; Pam Derks, the research and policy director of ACAATO; and Stuart Watson, communications director of ACAATO.

It is the working relationship of everyone who advises this government in the best interests of students that makes this kind of legislation and regulation possible.

Mrs Marie Bountrogianni (Hamilton Mountain): I'd be pleased to speak to the Ontario Colleges of Applied Arts and Technology Act introduced today by the Minister of Training, Colleges and Universities.

First, I would like to relay to our guests from the college sector, on behalf of the Liberal caucus, our condolences for the passing of your colleague Dr Frank Marsh, president of Cambrian College. His commitment to the students in his community and therefore to the rest of the province is an inspiration to all of us and his untimely death a reminder to all of us to keep perspective, to take care of ourselves and to take care of our health. That is the only way we, in turn, can contribute to the students.

The Liberal Party supports any move that contributes to the education of our young people. We have a fine-looking group of young people right above us there. We understand the vital importance of post-secondary education and its direct effect on our economy, our lifestyle, our health and that of our families. Possibly, after we have had the opportunity to review the charter, which I have to say I just received 10 minutes ago, we could have a more substantive discussion. As we are all aware with this government, the devil is in the details. I would have liked to see the first draft of the charter so that I could prepare a more complete response. But that isn't the style of this government—even more evidence that we need to very quickly pass my colleague Caroline Di Cocco's Bill 95, the ethics and transparency act, where public meetings are open to the public.

Openness certainly makes the role of government more difficult. I understand that. I understand that if I ever have the privilege of serving in government, my job would then be more difficult. That is what the public expects of us. It is the right way to govern.

But there are a few facts that are well known. In order for Ontario's colleges of applied arts and technology to continue to provide accessible, quality career education and training to the one million learners who enrol each year, the government of Ontario needs to put the vision of quality, accessible and affordable education for every student into action. At this rate, there's a long way to go.

Over the past 10 years, Ontario colleges have seen a 35% increase in enrolment with a 40% decrease in

funding. There is no relief in sight. Without the necessary investment in our post-secondary system, we will not be able to accommodate the projected increase in enrolment of more than 32,000 additional college students by 2006. The Pricewaterhouse study, which has yet to be made public, showed that you have underestimated enrolment and therefore, given that your funding formula is based on enrolment, you have underestimated and underfunded the needs of the system and will continue to do so.

Ontario's colleges and universities are also experiencing a faculty shortage. In 1995 the student-faculty ratio was 19 students per faculty member; in 2000 it is 25. Minister, what will it be in 2006? The government's own report, Portals and Pathways, identified \$300 million in deferred maintenance costs for colleges alone. This capital funding is to keep the buildings from falling apart. They talk about SuperBuild, but this government has spent less than any other Ontario government in the last 25 years on infrastructure in this province.

Student debt has never been higher. You have not increased OSAP levels since 1990. This fall, Ontario had the largest tuition increase in Canada. Since 1995, tuition at Ontario colleges went up 67%.

Minister, there are two issues I will be carefully reviewing. In your remarks, you stated that, "The role of government in day-to-day operations of institutions should be limited." It should also be limited in other areas. Will you give yourself more power to make decisions without bringing these decisions forward to the Legislature first? What are the dire circumstances that would require you to step in and take control over a college board? Will we have a repeat of the CCAC takeover, where this government punished those who put patients first and finances second?

Minister, given this government's record on labour relations, we will be scrutinizing any changes that would create a two-tier bargaining system.

My last request of you is to try and influence the future Premier to do away with the \$2.2-billion corporate tax cut and give it to education, give it to health care, give it to the environment. Those areas are in desperate need.

In closing, if our honourable guests support this charter, if the charter contributes to the education of our young people, we on this side of the House will be happy to support it.

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Mr Rosario Marchese (Trinity-Spadina): Minister, I was almost going to apologize to the presidents because of what I'm about to say, but I want to tell you, you should be the one apologizing to these presidents, all two rows of them here today, because you have the fortitude to bring this bill on December 4, when there's only one week left of debates and you've got 21 bills in the hopper to debate in this Legislature—21 bills, and with this bill it's 22 bills.

When will you find the time to debate the other 21 bills, including this one that she presented today? What kind of games are you playing with the opposition and

with these presidents who are here today? You tell me and you tell them that you are happy with the fact that the opposition has been working with you. I'm sorry, but you haven't been working with me. You never called me once to say, "Rosario Marchese, I want to debate this issue with you. How can we best do it together?" Not once did you call my office to say, "I want to do it with you"—not once.

And then you bring this bill on December 4, giving them the impression that somehow we may be the problem if this bill doesn't pass? It's not us. It is you who is the culprit on this matter. We want debate on these bills. They cannot pass simply because you bring them at the last moment—urging the presidents to tell us this bill must pass before December 11 or 12. It will not happen.

The minister says that with SuperBuild, they have spent more money than in the history of who knows what. New Democrats spent twice as much as this government, in a recessionary period, on our college and universities, and they come proudly saying, "We spend so much money on colleges and universities." We tell you, the government has cut \$2 billion cumulatively in our colleges and universities system, yet this minister congratulates herself by saying they have returned a mere 15% of that \$2 billion they've already cut.

This government says they have frozen tuition fees and put on a cap of 2%. Since 1995, tuition fees have gone up 60%. So they proudly come today to you, to us and to these students and say, "We've capped it at 2%." Madame, you've increased tuition fees by 60% since 1995. The debt and the burden is on the shoulders of these students, and they can't afford it.

This minister has deregulated professional programs to the extent that they're now inaccessible to so many working men and women out there in Ontario society. Professional programs like medicine cost about 15,000 bucks. I've got to tell you, Minister, your hyperbole connected to the platitudes you've introduced today is only exceeded by your arrogance, and nothing more.

The minister says proudly, "The role of government in day-to-day operations of institutions—"

Interjections.

Mr Marchese: Calm down, calm down. The minister says, "The role of government in day-to-day operations of institutions should be limited." Oh? Similar to what the Minister of Education, elementary and secondary, has done? We have never seen a much more interventionist government than the Minister of Education and the Minister of Finance as it relates to elementary and secondary schools. We couldn't have a more centralist government than ever in the history of this assembly. Yet today she says, "Oh, we want to get out of the business. We don't want to be so tightly in control of colleges and universities." Please, talk to Flaherty and talk to the minister right beside you, who's not here at the moment, and talk to me about you wanting to get out of the way.

I've got to tell you, Minister, you have a very sad and sorry history. Tuition fees have gone up. Colleges and universities are starving for funds and buildings are

crumbling. Privately, colleges are telling us they are going to go into a deficit this year, next year, and you come proudly saying, "We need to do something novel and interesting."

The two suggestions you make in your statement—very vaguely, I might say—which will give the colleges greater control over the lands may be good for the colleges, but I say you are abdicating your responsibility as a government to fund colleges properly. That's why they're excited for you to give them this bill, but we are not going to give it to you as fast as you want to get it into this place.

ORAL QUESTIONS

GOVERNMENT ACCOUNTABILITY

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Solicitor General. Minister, you have now been—let me take a quick look at the recent record—caught putting public safety at risk. You allowed 400 drunk drivers to get back on the road before they were entitled to do so. You kept 30,000 dangerous drivers on the road. You've been caught refusing to co-operate with the Provincial Auditor, something he said was the first time it's happened to him in nine years, and you've been caught wasting taxpayers' money. On that last count alone, you said this to the NDP housing minister on June 1, 1992, and I quote, "You're wasting the taxpayers' money. You don't know what you're doing. You should resign now because this is money that is inappropriately spent." That was just one strike. You're guilty on three separate counts. Minister, will you do the right thing and the honourable thing and resign here and now?

Hon David Turnbull (Solicitor General): No.

Mr McGuinty: It gets worse, Minister. Here's what the auditor said on page 252 of his report, "We could not determine the propriety of the ministry payments to consultants. For instance, the ministry had altered a consultant's invoice totalling \$234,000 by recording the amount as paid against another contract with the same consultant and indicating the work was done during a different time period."

Let's look at the total so far. First of all, you have threatened public safety. Second, you refused to co-operate with the Provincial Auditor. Third, you have been found guilty of wasting taxpayers' money and now, fourth, the Provincial Auditor tells us that on your watch documents were altered in the ministry, documents that were being presented to the Provincial Auditor. As I count it, that's not just three strikes, it's four strikes. You're out of the game. Will you do the right thing and resign?

The Speaker (Hon Gary Carr): Before the Solicitor General gets up, on the first question dealing with drunk driving, I thought it had some relevance to the Solicitor

General. As the leader of the official opposition knows, the Solicitor General is not the Minister of Transportation. That question could be out of order or the Minister of Transportation could decide to answer the question. I will leave it up to the Minister of Transportation, whom I see rising.

Hon Brad Clark (Minister of Transportation): We've already accepted as a government the findings of the auditor and we've already met 70% of the issues the auditor has brought to our attention. We've already achieved compliance with 70% of them.

I should also point out to the House that the previous minister had already hired 10 medical review officers to help us lower the backlog, so we had already accomplished that too. So we've already proceeded down the road.

In reference to some of the other questions the leader of the loyal opposition raised, we have implemented a number of measures in dealing with contracts and consultants within my ministry, mandatory training for staff on best practices for retaining and managing consultants, a monitoring system to ensure guidelines are strictly adhered to, monitoring of consultant performance during the contract period, critical evaluation of the consultant's performance. So 70% of the recommendations that the auditor has, we've already met.

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Mr McGuinty: I can sympathize with you. You had one heck of a mess to clean up, and I wish you the very best in terms of cleaning up after your predecessor. But this is not about you. It's not about your activities, it's not about the leadership you're lending to your ministry; it's about your predecessor. I come back to him because all of these matters rest plainly on his shoulders.

The public is entitled to know whether or not you are going to step down in light of the facts that have come to the surface. You have threatened the public safety. You have refused to co-operate with the public auditor. Those, in and of themselves, are very serious issues.

Minister, I ask you again, will you do the right thing, will you do the honourable thing, will you do what you asked of a minister when you stood on this side of the House? Will you resign for all the right reasons?

Hon Mr Clark: Once again, I thank the member opposite for the question. The bottom line for our ministry is that we have acted in a very appropriate way in dealing with the auditor's office. The members opposite who were in government before would know that when the Provincial Auditor is conducting an audit, it is the deputy minister and the ministry staff who deal directly with the auditor.

Interjections.

Hon Mr Clark: It's difficult to hear because of the heckling.

When I came into the ministry, the same thing was happening. The deputy minister was dealing with the Provincial Auditor. It was only after the deputy minister came to me and said, "Here is the draft audit," and raised the concerns of the Provincial Auditor that I requested a

meeting with the Provincial Auditor. I met with him on June 27. On June 27 we met with him, he raised the concerns, and I put in place a plan to satisfy his concerns.

GOVERNMENT ADVERTISING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. I understand that he may not be here. If that is the case, I will put it to the Acting Premier.

The Speaker (Hon Gary Carr): I don't see him. The Acting Premier, then, would probably be best.

Mr McGuinty: Apparently, Minister, you over there are at it again. You're using taxpayer dollars on partisan ads. This is the latest, running throughout the province today in newspapers at a cost of \$1 million. Apparently, a quarter-billion dollars invested in partisan political advertising was insufficient to satisfy your appetite, so you are at it again.

Your message in this particular ad is very clear. This has got to be the most widely distributed blackmail note known to mankind. It says, effectively, that you're going to kill medicare if the feds don't give you more money. Can you tell us, Minister, why it is that you have \$2.2 billion for corporate tax cuts, you have half a billion dollars for private school tax credits, you have a quarter-billion dollars for partisan political ads, you have \$1 million for this ad, but apparently you don't have enough money to make health care a priority in Ontario at this time?

Hon Chris Stockwell (Minister of Labour): Let me say at the start that the only member of this Legislature, the only person in this province, I can imagine who would suggest that demanding that the federal government pay their fair share for health care is blackmail is the leader of the official opposition. That's the only member of this Legislature who would say that.

They started at 18 cents; they're now down to 14 cents. We on this side of the House think that's scandalous. Only you would be defending the federal government and their abdication of the health care system to protect the citizens of this province and give them good health care service.

We don't see it as blackmail. We see it simply as advertising asking the public for their opinion with respect to the health care system, asking them to direct their thoughts to their federal MPs. I would suggest to the member opposite, if you suggest this is blackmail, sir, you are sadly out of touch.

Mr McGuinty: Minister, you may be interested in the Speaker's ruling at one particular time in this House. I'll read it as follows:

"Personally, I would find it offensive if taxpayer dollars were being used to convey a political or partisan message. There is nothing wrong with members debating an issue and influencing public opinion; in fact, it is part of our parliamentary tradition to do so. But I feel that it's wrong for a government to attempt to influence public opinion through advertising that is paid for with public funds."

Guess who said that, Minister? It was said on January 22, 1997, by one Honourable Chris Stockwell, Speaker of the Ontario Legislative Assembly.

Interjections.

Mr McGuinty: So what I'm wondering is, Speaker—or Minister, whichever it is today—do you believe in what you said back then or do you believe in what you're telling us today, and how can you possibly reconcile the two?

Hon Mr Stockwell: Of course I do. I did not realize in this House that the suggestion would be made that asking the federal government to pay their fair share of health care is somehow partisan—

Interjections.

The Speaker: Order. It's getting too noisy now. I apologize, Acting Premier.

Hon Mr Stockwell:—would somehow be partisan. I would have thought all the members of this Legislature would have expected the federal government to pay—

Interjections.

The Speaker: The member for Windsor West and the member for Hamilton East, come to order, please. Sorry again, Acting Premier.

Hon Mr Stockwell: I would have thought everyone in this Legislature would have expected the federal government to pay their fair share for health care. What is the debate? What is the advertisement about? It is about the provincial government demanding the federal government live up to their commitment. That's not partisan. That's just fair ball. I can't understand why you don't support that.

Mr McGuinty: Minister, it is painful to see you over there hoisted on your own petard. What we're asking over here today is, whatever happened to the man, the Speaker, an individual of integrity who then said, "I feel that it's wrong for a government to attempt to influence public opinion through advertising that is paid for with public funds?"

If you intend to seek the leadership of your party, if you intend to become Premier, it would seem to me that you're going to have to stand by principles that you set out in the past, Mr Minister. I ask you again, how is it that you can reconcile the position you're taking today as a matter of convenience with the position of principle that you took in the past in your capacity of Speaker?

Hon Mr Stockwell: Since we're talking about petards, Mr Speaker, I think Mr McGuinty has one he can hoist himself on. McGuinty on the federal budget: "I was personally disappointed with the budget because it did not assign the priority to health care that ordinary Ontarians have been telling me they assign to it. The silence from the federal government on medicare has been deafening."

Speaking of principles, speaking of positions, it would seem the leader of the official opposition would say one thing one day; when we request the federal government through advertisements to pay their fair share, he has a completely different opinion. May I suggest, no lectures from the member opposite on principles, because you

have some on some days and, according to you, on others they are completely different.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. I want to quote from a November 30 front page article from the Wall Street Journal. It's entitled "Enron Swoon Leaves A Grand Experiment In Disarray," and the disarray it's referring to is the whole scheme of electricity privatization and deregulation in the United States.

The article says that private sector energy investors are pulling out of new electricity projects because of the financial uncertainty created by Enron's bankruptcy, the largest corporate bankruptcy ever in the world. It also says that this will lead to less predictable supplies of electricity and electricity blackouts in the United States.

My question, Minister, for you is, why is your government intent on privatizing our electricity system and repeating the Enron disaster in Ontario?

Hon Jim Wilson (Minister of Energy, Science and Technology): The honourable member asked this same question some weeks ago in the estimates committee and the answer remains the same, that much of Enron's problems in terms of its financial woes stem from investments outside the electricity sector. He only has to read the daily Wall Street Journal or the Financial Times to understand what's going on with that company. You will see that Enron Canada is a fully functioning company, that it is involved in the electricity sector in many provinces and doing quite well. The fact that Enron in the United States has made investments outside of the electricity sector, outside of its traditional energy sector, has caused great problems and a bankruptcy for that company. The company itself admits it was not the electricity sector that forced them into bankruptcy, but some bad investments they made outside that sector.

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Mr Hampton: I invite the minister to read the same article, because the article is very clear. It points out that Enron was the spiritual guru and corporate driver of electricity deregulation and privatization across the United States. Now it's gone, bankrupt; a \$50-billion bankruptcy. It's led to all kinds of uncertainty in the electricity markets.

My question is, won't you learn a lesson from this? Won't you learn a lesson from the corporation that said it was going to lead North America into electricity privatization and deregulation? A \$50-billion bankruptcy. The report is it's cost California \$100 billion from the failure of privatization of electricity there. Why, when 22 states in the United States are turning away from electricity privatization, do you want to repeat the same disaster in Ontario?

Hon Mr Wilson: The honourable member is an island unto himself with respect to the theory he puts forward. It's very difficult to chase ghosts, which I'm required to do every time he gets on his feet, so go back to your haunted house and scare yourself, but stop scaring the

customers in Ontario, because our deregulation and introduction of competition is going very well. It's on track. It's on time. Investor confidence is at an all-time high in terms of over \$3 billion worth of proposed new plant, including the \$400-million plant that is currently being built in Sarnia, Ontario.

Enron's overextension in the United States in sectors outside of the energy sector is not something I'm staying up at night worrying about, and it's something he should stop chasing in terms of shadows, ghosts and haunted houses.

Mr Hampton: It would only be a Conservative government that would be so wedded to privatization of public services that it would say a \$100-billion disaster in California is a haunted house, that a \$50-billion disaster, bankruptcy, in the middle of electricity deregulation in the United States is nothing to worry about. The people like British Energy and TransAlta are telling you, are being very clear: what they want is complete electricity deregulation to be able to take Ontario-produced electricity and sell it in the United States, into that chaotic market at a higher price. You owe it to the people of Ontario to tell people what that means: that it means joining that market chaos in the United States, that it means much higher prices, that it means unpredictable supply.

Minister, yesterday I attended the opening meeting of the Ontario Electricity Coalition, a coalition that has watched what has happened in the United States and doesn't want to see it repeated here. Won't you listen to them, or are you so wedded to what the corporate sector wants that you're willing to repeat the disasters of California and Enron in Ontario?

Hon Mr Wilson: If the honourable member does an honest assessment of California, one of the reasons California is not in the news these days is that finally the politicians in California, after 13 years of mucking around, introduced competition just in the last few months. Four new plants have been built, and prices have gone down significantly as competition is finally taking hold in California, exactly what should happen when the politicians leave it up to the market to decide demand, supply and price. So finally California is starting to remedy itself by allowing the market to do that.

The Ontario Electricity Coalition that the honourable member speaks about yesterday had a sign up in front of poor Adam Beck down on University Avenue, a statue of Sir Adam Beck, who by the way saw electricity being delivered by the private sector and never by a company called Ontario Hydro, if someone wants to read the history books. But having said that, they're calling for power at cost. Do you know what power at cost brought us with the old Ontario Hydro monopoly? Bad management, bad maintenance at our nuclear plants so we had to close 10 of them, and \$38 billion worth of debt.

GOVERNMENT ACCOUNTABILITY

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. Your government is

hoping everyone will forget that the Provincial Auditor has found that the former transportation minister, now Solicitor General, is in fact a lawbreaker. It must be a very stinging report from the auditor to point out the level of mismanagement and the fact that your boasting about law and order doesn't apply to one of your own cabinet colleagues. The auditor's report tells us: \$27 million of mismanaged consulting contracts, 30,000 unfit drivers on the highway, 400 convicted drunk drivers still driving because you didn't take their licence away, and then that the minister actually presided over the altering of documents to frustrate the Provincial Auditor.

You know we've asked the OPP to investigate. You must also know that the Deputy Attorney General is now investigating this matter. The only decent thing to do when there is such a clear breach of the law is for the minister to step aside. Will you do that?

Hon Chris Stockwell (Minister of Labour): Let me respond. Firstly, I think—

Mrs Margaret Marland (Mississauga South): Mr Speaker, are you accepting his saying "lawbreaker"?

Interjections.

The Speaker (Hon Gary Carr): Order. The question has been asked. Thank you very much. I've talked to somebody privately. Don't shout out, please, member for Mississauga South, during the answer coming up.

Hon Mr Stockwell: The government obviously takes the auditor's report very seriously. We consider the issues and the recommendations that the auditor gives and we respond to them very quickly. I think earlier today, the Minister of Transportation noted how quickly they have responded to some of the concerns that were brought forward.

Do we share the opinion the member has stated with respect to the assumptions you've made or gathered from the auditor's report? No, we don't. We think it's important that we review the auditor's report, make the recommendations and clearly respond to them. I think what you're suggesting is far beyond what the auditor has said in his report. It goes well beyond the analogies that I've read in the report. I think the arguments you're making go much, much further than I read into the auditor's report.

Mr Hampton: I spoke to the Provincial Auditor about this very matter and he reports that he was stonewalled, just as you're trying to do here, for almost a full year. He said that if he had not pointed out the conduct of the Minister of Transportation, it would have amounted to allowing your government to simply thumb your nose at the Provincial Auditor.

Either your statement is that the Provincial Auditor is factually wrong or you condone a minister who presided over a breach of the law continuing to be in your cabinet. It's as simple as that. Either you're saying the auditor is wrong or you're saying you condone a minister who presided over a breach of the law continuing to be in the cabinet. Are you saying the auditor is wrong or are you going to ask the minister to step down? If the audit fits, you can't acquit. That's the reality.

Hon Mr Stockwell: Let's deal with the issue at hand. The issue at hand was that when the first request came through, it came from people who worked in the audit department. They made their request to ministry staff. There was some concern with respect to the kind of information they were asking for. Therefore, the information was moved up to the auditor and the secretary of cabinet. The secretary of cabinet and the auditor met and came to a protocol on a process that would allow this information to be given.

If you continue to read the auditor's report, he outlined his concerns. He also suggested, in the very next paragraph, that the secretary of cabinet met with the auditor and did provide a protocol to allow this information to be released to the auditor.

We do not want to have a discussion or a fight with the auditor. We agree with the auditor and how he goes about doing his business. But I will say to the members opposite that we met the requirements. We asked for a meeting, we facilitated the meeting, and the secretary of cabinet met with the auditor. If you read through the audit report, he says in the very next paragraph that yes, they did meet with them and he was reasonably satisfied with the outcome.

HOME CARE

Mrs Sandra Papatello (Windsor West): My question is for the assistant minister of health. It's about the hostile takeover of home care with Bill 130. My simple question to the assistant minister is this: I want to know whose advice was sought to bring forward Bill 130. It wasn't the seniors of Ontario, because you refused to meet those groups. It wasn't the local boards of the home care organizations, because they say this isn't the right way to go. It wasn't the provincial association; they agree that it's not the right way to go. It wasn't the nurses of Ontario; they're against the bill. It wasn't Tony Clement; he said he would never do this last August. It wasn't Jim Flaherty; he said he's for more local control. It certainly wasn't Pricewaterhouse, which you often have quoted as your source, because the recommendations in the Pricewaterhouse report specifically say that the number one request and recommendation is around funding, because the funding has changed and the required funding has increased. Minister, my question is this: whose advice did you seek to bring in this hostile takeover of home care?

1450

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say first off that the government of Ontario and the taxpayers of Ontario have been paying the full cost of community care access centres for some three years since their inception. So I fundamentally disagree with the point of the question. Let me say that the people in Ontario were concerned with the quality of care they were getting. They were concerned about the amount of care they were getting.

We went in and did an operational review in Hamilton. We had PricewaterhouseCoopers go in and review the CCACs across the province and made recommendations about changes. We met with a large number of people with respect to CCACs. My colleagues also met with people in their offices about CCACs. There has been a lot of work done on this. The people on this side of the House believe that we need to provide a quality service in the community, and we're moving forward to doing that.

Mrs Papatello: The assistant minister is out there blaming volunteer boards for the mess this government created, like the board in Waterloo. This is the board in Waterloo, in home care, that received an award just two weeks before the bill was dropped. The award was for their effectiveness and accountability. The vice-chair of that board says that this bill is a slap in the face. The truth is that the assistant minister is hearing from everyone that no one told you to do this—no one but your own caucus. Even members of your cabinet said not to do this, and here you are taking over home care and doing this in a reckless manner that is, frankly, bad public policy.

Minister, the truth is that you have a million dollars to spend on partisan advertising, a million dollars, when our seniors desperately need home care. We have increases in client caseloads that you have never acknowledged, and in your statements on the telephone with the directors of CCACs, the moment one of them asked about funding, the telephone line was suddenly disconnected. This is a gag order by the minister. We ask you today to withdraw this bill from this House.

Hon Mrs Johns: Let me be very clear that the government of Ontario has moved from funding these community care access centres at about \$600 million to \$1.17 billion. Nobody has more of a commitment to community care than this government. Let me say that we've increased that funding even though there's not one cent from the federal government going to home care. Let me say that the federal government promised that they would have a national home care proposal out before the public, and where is it? Where is it? The same happened, as a matter of fact, with respect to a drug program. Where is it? This government has made a commitment to community services. We're going to ensure that community services work for the people of Ontario, and we're moving forward with Bill 130.

SPECIAL EDUCATION

Mrs Tina R. Molinari (Thornhill): My question is for the Minister of Education. During constituency week I visited nine schools in my riding of Thornhill, speaking to grade 4s and 5s about government. I also had the opportunity to visit three schools in York region that had special education programs. One of the schools, Muki Baum, is attached to Holy Family school, which is in my riding.

I discussed with board members, administrators and teachers some of the concerns surrounding special-needs

education. I was happy to learn that great strides are being taken for students with special needs in Ontario's system. It was expressed to me, however, that with a 50% increase in the York Catholic board's special-needs enrolment, this board is facing increased pressures in meeting the needs of these very special students. Their biggest concern expressed to me was that the ISA funding is effectively being stretched further each year because of increased student enrolment. Minister, what measures have been taken to address these concerns?

Hon Janet Ecker (Minister of Education, Government House Leader): Thank you very much, the member for Thornhill, for the question. Special education funding is indeed a very important support for school boards in offering education services to those children with special needs. That's one of the reasons why we've passed legislation in this House that protects it, that says that it can only be spent for special-needs purposes to help those students.

What we do for school boards is give them special-needs funding that does recognize the increase in enrolment growth, because obviously as the number of students increase, the needs increase. The money that goes to school boards through, for example, what's called the SEPPA grant does indeed clearly recognize the fact that, as enrolment grows, so do the needs. For example, the York Catholic board had 5.5% of overall funding, much higher than enrolment growth, and again had an increase of about 3% in overall special education allocation to support the growing needs.

Mrs Molinari: I was also informed that one of the biggest problems regarding students with special needs is the criteria that must be met to qualify for funding. Students must meet all the criteria of the assessment to be given funding. Even meeting nine out of the 10 requirements disqualifies the student. Both teachers and parents have expressed to me their concern regarding the formula used to assess special-needs students. The paperwork involved in these assessments is taking teachers' time away from the classroom. Minister, what is being done with regard to the criteria assessments?

Hon Mrs Ecker: One of the things that has concerned me greatly is the misunderstanding that the accounting process that goes on to estimate the number of high-needs students a school board has is somehow being interpreted to drive the services the student gets. What determines the student's needs, what determines whether a student should get various services, is the individual education plan. Where particular students are falling in terms of the accounting processes to calculate funding should not be used to drive service decisions. So, yes, there is a formula via which we make estimates and projections about the needs for boards, but where it is important on the ground, with the individual education plan, to drive the actual services and supports that a student gets.

Reducing the paperwork and administration is extremely important. That's one of the reasons we actually grandparented about a third of all of the students this

year, so no additional process was required. We will continue to make improvements in that area.

MENTAL HEALTH SERVICES

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the associate minister of health. Minister, in November last year, the previous Minister of Health announced an increase of \$4.8 million for community mental health agencies. This was welcome and desperately needed funding. The money went to 443 community agencies to fund supportive housing for those with mental illness, children's mental health, sexual assault programs and suicide prevention programs. There was no indication last November that this was one-time funding, but your government has now taken that \$4.8 million back and those agencies are faced with having to make cuts to these vital community mental health programs. The same thing happened to drug and alcohol addiction programs: a \$5.2-million increase last November, now stripped away a year later.

Minister, can you explain why the decision was made to cut this \$10 million from community mental health programs and can you tell us what you believe should be cut? Do you sacrifice children's mental health, suicide counselling or do you cut back on sexual assault programs?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say that this government has a large commitment to mental health in Ontario. Although we made one-time funding last year to mental health, in this calendar year we have implemented a number of mental health task forces across the province to ensure that we have a strong mental health network fibre across the province. We have brought together many, many people into nine task forces who will give recommendations to the government about things we should do to improve the mental health system in Ontario.

On top of that, we've been moving to move people out of institutions and take them into the community, and that funding has been flowing with people as we have done that. We have made that commitment in Kingston. We're looking at making that commitment in other areas across the province. This government has a strong mental health commitment, and that of course was shepherded through the House last session by Dan Newman as the PA to health as he made recommendations to mental health and, of course, by Christopher's Law.

1500

Mrs McLeod: The fact that this government brought through Brian's Law makes it even more reprehensible that they are cutting funding for community mental health agencies and programs.

Minister, I have the announcements from last year. There is not one word in these announcements or in the previous minister's speech that speaks of one-time funding. You cut \$10 million from community mental health agencies this year. It was a cut and nothing less.

Since your government made the cuts, I suggest you should have some responsibility for the consequences. The agencies took the funding because they needed it. They set up the programs and now you expect them to shut the programs down. I say to you, you can't shut down a sexual assault program because you've decided you need money for a tax cut. Suicides don't disappear because you've decided you're going to cut the funding. Children's waiting lists for mental health services don't disappear because you've got other priorities this year.

The Minister of Health appeared to share some concern for this, and I want to quote in asking you my question. He said to the mental health agencies: "You have shared your disappointment that this spending announced last year was one-time only. I want you to know that I too was distressed by this situation, and I pledge to work with you to obtain other ongoing funding resources."

Can you tell us whether or not the Minister of Health has found some way to relieve his distress and the distress of community mental health agencies? What funding is coming for community mental health agencies this year?

Hon Mrs Johns: As you can hear from the question, the Minister of Health is working with agencies across the province. But let me say that since 1995 this government has invested an additional \$370 million into mental health in Ontario. It's unprecedented. In the past, the population who suffered from mental illness had been forgotten as report after report stacked up in previous ministers' libraries. This government has taken an unprecedented step to moving forward with mental health reform in the province. We have nine task forces, we have a regional task force, and we're working to ensure that people with mental illness get the help they need so they can move toward mental wellness. We have every intention of working with stakeholders to ensure that mental health continues to be invested in, to ensure that mental health is a strong component—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

FEDERAL-PROVINCIAL JURISDICTION

Mr John O'Toole (Durham): My question is for the Attorney General. Minister, I understand last week you attended a federal-provincial-territorial justice ministers' meeting in Ottawa. I understand this important meeting was a continuation of the previous federal-provincial-territorial justice ministers' meeting which was adjourned because of the tragic events surrounding September 11. The events of September 11 created new challenges for governments at every level, particularly how to ensure the security of citizens of this province but indeed the country of Canada while maintaining their fundamental rights and liberties. Could you please share with the House what important security measures were discussed with the justice minister and other provincial leaders?

Hon David Young (Attorney General, minister responsible for native affairs): I appreciate the question

from the member. I will say to you this: September 11 has a special meaning for justice ministers across this country for a number of reasons, one of which is that we were all together in Nova Scotia in the midst of a federal-provincial-territorial justice ministers' conference when the tragic events occurred south of the border on September 11. All of us witnessed our free and open society challenged. We witnessed the vulnerability of our society, and we all agreed that action had to be taken.

At last week's federal-provincial meeting, justice ministers from across the country came together and discussed a number of urgent and important matters, including the need for a North American security perimeter, which was an issue, by the way, that we from Ontario raised, put on the table and, I'm pleased to say, was welcomed by most of the members around the table. We also talked about who was going to pay for many of the measures that are contained in the anti-terrorist bills that Ottawa has tabled, and we have committed to continuing those very important discussions.

Mr O'Toole: Thank you for that very thorough response, Minister. I know you take public security and border security, as well as anti-terrorism measures, as very important, and I thank you for your advocacy and leadership in that area.

But there are also issues, such as expanding the scope of the sex offender registry and the toughening the Youth Criminal Justice Act, which continue to concern not just me and the people of Durham but of course our constituents in Ontario. My constituents don't want to lose sight or lose contact with these issues while the government is developing other plans to deal with the immediate security issues. What's going to happen with the sex offender registry, as well as the Youth Criminal Justice Act?

Minister, can you tell us how you will ensure that these issues and priorities remain at the federal-level table, and how are you going to make sure the people of Ontario are well served?

Hon Mr Young: It is going to be a difficult time for justice ministers across the country to balance what is an immediate and relatively recent set of needs that have come out of September 11 and at the same time remember some other issues, ongoing issues, issues that have been there for a considerable period of time, issues like the ones referenced by the member for Durham, issues that include the Youth Criminal Justice Act, which both before and after September 11 we in Ontario have spoken out against. We made some constructive suggestions, amendments that we thought should be brought forward.

We also have said time and time again, and continue to say, that the DNA data bank legislation must be amended, and it must be amended soon. It makes no sense to have the loopholes that currently exist. It makes no sense to continue to have legislation, federal Liberal legislation, that does not allow us to obtain DNA samples from individuals who have committed multiple murders on the same day. We can only obtain samples from individuals who have committed multiple murders on

different days. It makes no sense, and it's dangerous to have left in place.

EDUCATION FUNDING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Education. She's talking at the back.

The Speaker (Hon Gary Carr): Stop the clock for a quick moment, please.

Mr Marchese: Thank you, Speaker.

Ma chère amie, why are you wasting \$1 million on partisan ads instead of providing a decent education for the students of Ontario? Across this province, 111 schools are at risk of closing. In my riding, it's Senhor Santo Cristo, St Francis. In the riding of my friend from Beaches-East York, it's St Bernadette, St Aloysius and St John at the high school level. The reason for that has nothing to do with school boards. The real reason is your funding formula, which is designed to wipe out schools that have fewer than 350 students. That's the reason.

So I say to you, what are you going to do about that? Do you have the backbone to protect the 36,000 students and their communities who are about to lose their schools?

Hon Janet Ecker (Minister of Education, Government House Leader): We are not wasting any money on partisan ads. But we on this side of the House do believe that in a \$13.8-billion public education budget, the highest the budget for public education has ever been, we should be investing some monies in keeping parents, who are a key part of the team in terms of improving student achievement, informed about what is happening in our education system, about what initiatives are going forward, and making sure we're asking parents for their views. That's indeed what we're doing.

Vis-à-vis school closures, as the honourable member will well understand, because there were many school closures when his government was in power, school closures are always a very difficult decision for school boards, school board trustees. I believe that duly elected trustees should have the responsibility to deal with that. The legislation, the funding, does indeed provide flexibility for them to make those school allocation decisions that they must make.

Mr Marchese: The funding formula, mon amie, is the problem, not the trustees and not the boards of education. I'm telling you that elementary school closings will become an epidemic in this province unless you start putting the future of kids ahead of the partisan ads that you're putting forth. I'm suggesting to you that you've got to look differently at how we protect our schools.

The NDP proposes several things. You may want to pay attention to this. First, immediately institute a moratorium on school closings. Second, change your funding formula so that it finally covers the majority of elementary schools. Third, let communities propose alternatives to closing elementary schools. All I'm asking of you, Minister, is, will you listen to that message?

1510

Hon Mrs Ecker: Let's be very clear: not one penny of funding that goes to school boards to run schools is being used for any information campaigns to deal with parents, to give parents information. Let's be very clear about that: not one penny is being taken away from our schools to provide information to parents.

Secondly, what the honourable member is saying is that if we have a school that has no students, we should leave it sitting there and boards have to pay for it. That's what a moratorium means, and that's not an appropriate response.

Thirdly, letting communities come forward with alternatives is indeed the policy of this government. That's why, by law, we say that school boards must consult the community, must look at proposals and alternatives. I know of many, many instances across this province where, based on that consultation, school boards have altered their decisions. That's why duly elected officials have that obligation, and I believe we should leave it with the trustees to make those difficult, but in some cases necessary, decisions.

INTEGRATED JUSTICE PROJECT

Mr Michael Bryant (St Paul's): My question is for the Attorney General. I listened to the minister's tough talk on crime just a moment ago, but you should maybe check out the auditor's report. Laws have been broken because of the Keystone Kops security system in place that's supposed to be protecting the records of victims and witnesses and suspects, data in the hands of police and prosecutors.

The Provincial Auditor found that in fact these data have resulted in unauthorized access and manipulation. We know that privacy rights have been broken. We know that the victims' rights bill, as toothless as that law may be, has been broken. My question is, how many young offender disclosure prohibitions have been broken? How many cases are going to be thrown out because the defence counsel is going to argue that the data have been manipulated? The question is not, have laws been broken? It is, how many have been broken, and how many times?

Hon David Young (Attorney General, minister responsible for native affairs): It's difficult to tell exactly what motivated my friend opposite to ask the question. It certainly isn't facts. He seems to think that he has absolutely no responsibility and that he is somehow or other empowered to engage in fearmongering, based on absolutely no grounds.

Let's be clear. The integrated justice program is a program that everyone, but everyone, involved in the justice system believes is necessary. It is better to get information to the parties involved, all the parties involved, faster and in a more efficient and integrated manner. That's what we're working toward.

What we have seen out of the integrated justice program is a groundbreaking area. We're moving into

new areas. In fact, even the auditor suggested that the way to do this is with the assistance of the private sector, and that's what we're doing.

Mr Bryant: Nice try. The auditor's report says, "We had serious concerns that security measures were inadequate over the systems already in use by the police." Fearmongering? Tell that to the auditor. The auditor says, "Confidential information contained in these systems ... is vulnerable to unauthorized access and manipulation." Fearmongering? Tell the auditor.

There's a password system in place, if you can believe this, that's one letter. You have to hit one letter to break into the password. You get 26 cracks at it, so a three-year-old who knows the alphabet can break into this system. It would be laughable if it wasn't that laws have been broken.

So my question to you is, what investigations have you undertaken to either disprove what the auditor has found or to confirm that laws have been broken because a security system that's supposed to be Fort Knox in fact is letting a three-year-old in to access data of the most confidential and serious nature?

Hon Mr Young: Let's remember what we're talking about. We're talking about a program that is being developed. It is being developed, and as a result of that development process we have determined certain things—some of which, by the way, came from the auditor, and we appreciated getting it. But somehow or other, the member opposite expects it all to be right the first time. If that was the case, we would have brought it in initially. They would have brought it in when they were in power. What we are doing is developing a program, making sure we have it right before it is out there.

I would challenge the member opposite, who made some very serious allegations, to name one case that has been thrown out of court in this province as a result of the allegations he has made—one case.

INFRASTRUCTURE PROGRAM FUNDING

Mr Norm Miller (Parry Sound-Muskoka): My question today is for the Minister of Northern Development and Mines. I know that many of the municipal leaders in my region and indeed across the north are concerned about the need to make investments in their local infrastructure. Mayors like Ted Knight of Parry Sound want to make improvements in the quality of life for the residents of their communities. However, the cost of these projects is quite onerous. What can I tell the municipal leaders in Parry Sound-Muskoka to do about the costs of infrastructure projects and upgrades in northern communities?

Hon Dan Newman (Minister of Northern Development and Mines): I thank the member from Parry Sound-Muskoka for his question. Yesterday in Sudbury, I was pleased to announce that the Mike Harris government is building a stronger future for northern communities with a new \$82-million infrastructure program from

the northern Ontario heritage fund. The new northern communities capital assistance program will provide funding to help northern communities build, renew and enhance their basic infrastructure. Funding will be based on a community's population, ranging from \$100,000 for small communities to \$5 million for the largest cities in the north.

The Mike Harris government recognizes that a strong local infrastructure is critical to a community's ability to attract new investment and to improve the quality of life for its residents. We listened to the northern municipal leaders and responded with a program that will not only target important capital needs but will also leverage a significant investment from our partners in return.

Mr Miller: Mr Minister, that is absolutely fantastic news for the north. I'm very happy to hear about that. Did I hear you right? I think I heard that \$83 million was to be spent on projects around the north, and that is certainly great news for Parry Sound-Muskoka. I am very happy to hear that and I am hopeful that municipalities will be able to leverage even more money for new projects in the north, like fire halls and community centres. I certainly hope the small municipality of Kearney, which is desperately after a new fire truck, will qualify for this program as well. For the benefit of all members of this House, could you tell us more about this new capital assistance program, which is such great news for the north?

Hon Mr Newman: Indeed this is great news for northern Ontario, because the northern communities capital assistance program is the newest flagship program from the northern Ontario heritage fund. It joins five other flagship programs designed to support job creation, economic growth and strong, vibrant communities throughout the north.

Under the new program, communities may apply for funding for projects that are identified as local priorities. These projects include water and sewer services, fire services and equipment, community centres, recreational facilities, existing airports and roads, to name but some of the projects that are eligible. Like other heritage fund programs, the northern communities capital assistance program encourages municipalities, First Nations, local services boards, the private sector, non-profit organizations and government agencies to develop strategic partnerships to meet shared goals.

The Mike Harris government is proud of our commitment to northern Ontario. Since October 1996, the heritage fund has contributed nearly \$290 million to some 840 projects, generating an additional—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

EMERGENCY SERVICES

Mr Richard Patten (Ottawa Centre): My question, in the absence of the Minister of Health, is to the associate Minister of Health. Yesterday, we learned in Ottawa the intention of the government to sell off the

Ottawa ambulance dispatch service. The city of Ottawa actually put aside some funds, some money to invest in a high-tech dispatch system. Yet for some reason, the ministry or the minister wants to instead call for an RFP. The mayor and the city council have said that this is totally unacceptable. Because of your government's downloading, the municipality already operates more than 50% of the total cost for the ambulance service.

In Hamilton, the city was enabled to take back the dispatch service so they could have an integrated system. They've done extremely well. They took it back from the private sector. Their time responses are favourable and excellent. Will you provide the same option for the city of Ottawa?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say that the Premier last week said to everyone in Ottawa that he was happy to open up the request for proposals to anyone who wanted to bid on that proposal.

1520

If the member opposite is correct that the program has incredible merit—and as I say, I haven't seen the proposal to be able to know that yet—I'm sure that it will be considered appropriately. When we don't go out for a request for proposal or we don't get a lot of bids, they say we haven't done the taxpayer right. Now they want us to say, "Sure, just give it to the first person." They can't have it both ways. We've been very clear. We want a request for proposal. We want lots of people involved in the proposal. We want to get the best services for the people of Ottawa. If we have the same common value here, I'm sure we will be very successful, all of us.

Mr Patten: You know that this is an opportunity to have the private sector break into this business. You know that they'll be tempted to lowball a bid, and so you'll make a decision on a cheap response rather than the best response.

All throughout North America, the best response is an integrated system with a dispatch and the operators of the ambulance service. You have a bill called Bill 11, the new Municipal Act, which dwells on working co-operatively. This is your partner. They're paying better than 50% for the hospital service now, and you're not even talking with them. They've offered to take this at the present cost. If the costs are increased from that, they will even pay for it out of municipal funds. You can't lose. Why are you going to the private sector on this when the models of effectiveness show that you integrate your dispatch system with the operations of the ambulance?

Hon Mrs Johns: This is a very important question. Really what we want in dispatch is the best services for the people of Ottawa. We are going to make sure that happens. As you know, the new Municipal Act allows municipalities to start a business and compete. We also could have non-profit organizations coming forward to be able to work on this project. I think about hospitals. I think about other organizations in the community that may well want to provide the dispatch because of the expertise they have within their organizations.

The government of Ontario pays 100% of the dispatch costs across the province. It is important for us to be the guardian of the public trust and to ensure that the people of Ontario—and especially, in this case, the people of Ottawa—get the best services in Ottawa.

ARTS AND CULTURAL FUNDING

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of Tourism, Culture and Recreation. Last week, I was particularly pleased to read about the 2001 Lieutenant Governor's Awards for the Arts, which were presented here at Queen's Park. It is my understanding that 18 arts organizations from across Ontario received a total of \$300,000 in recognition of their achievements. It is interesting to see that the former minister of culture across the way is really interested in this particular question.

Minister, could you please tell this House a little more about these awards and how the winners were chosen?

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): I appreciate the member for Scarborough Centre's question. Hal Jackman has always been a champion of the opportunity for the private sector to give to non-profit arts organizations. Mr Jackman is not only a proponent of that, but is putting his money where his mouth is through the Jackman Bickell Awards, also known as the Lieutenant Governor's Awards for the Arts. In fact, since 1995, when the awards were born, over \$2 million has gone to 80 different arts organizations, rewarding those that bring in more attendees, more through the gates, more donations from the private sector, those that increase their own revenue.

This year's top prize award winner was the Soulpepper Theatre Company of Toronto. The Guelph Jazz Festival was also recognized. The Burlington Arts Centre and, of course, the haunt of the member for Nepean-Carleton, the Ottawa International Jazz Festival, were also award winners here. There are many great success stories of accessing new funds and their own funds from the private sector and from attendance at the gate.

Ms Mushinski: Thank you for that response, Minister. I'm particularly glad to hear that so many arts organizations are able to garner so much support from their communities. I think that's an extremely important point. I was particularly pleased to note that several of the winning arts organizations are based right here in the cultural capital of Canada, right here in Toronto.

I wonder if you could provide this House with details on how those organizations are able to meet their goals of greater self-sufficiency, which is something that our government has been trying to achieve for some time. Are they using better sales techniques through their ticket sales? How are they able to garner greater support from the private sector?

Hon Mr Hudak: I appreciate the member's question and her interest as a former minister of culture, in fact, beginning this process of asking for more private sector contributions to the arts.

The member for Etobicoke asks, "Well, how do you do it?" You do it through a lot of hard work, creativity and a lot of energy. It's more than just serendipity.

Some of the award winners I mentioned: Soulepper has increased revenue by more than double, over \$1 million. The Buddies in Bad Times Theatre's private sector contributions more than doubled. The Gardiner Museum of Ceramic Art in Toronto more than doubled their revenue.

We want to make sure that the arts community in Toronto and the province of Ontario is strong, vibrant, growing and full of potential.

PETITIONS

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): I have a petition which reads as follows.

"To the Ontario Legislature:

"Whereas Health Canada approved Visudyne on June 1, 2000, as therapy for the treatment of wet form age-related macular degeneration. However OHIP does not yet pay for the procedure and it has not been added to the Ontario drug plan formulary;

"Whereas the provinces of Quebec, British Columbia, Alberta, Saskatchewan, Manitoba and Nova Scotia have already added Visudyne to their provincial drug plans;

"Whereas clinical trials have demonstrated that this treatment safely and effectively stabilizes vision loss in 67% of patients and improves visual acuity in 13% of patients;

"Whereas patients requiring therapy using Visudyne face a cost of \$1,750 for the drug and \$750 for the clinician procedural fees each time therapy is administered and to complete a full therapy cycle, a patient would be required to pay \$15,000 to preserve his or her sight; and

"Whereas the Ministry of Health was to make a decision on Visudyne treatment at the end of February 2001;

"Let it be resolved that the Ministry of Health immediately approve and add Visudyne treatments to the Ontario drug plan formulary to assist those suffering with macular degeneration."

I affix my signature as I'm in complete agreement.

OHIP SERVICES

Mr David Christopherson (Hamilton West): I have a petition from my riding of Hamilton West that reads as follows:

"Petition to the Ontario Legislature:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services;

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

On behalf of myself and my NDP colleagues, I add my name in support to this petition.

1530

LORD'S PRAYER

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

MUNICIPAL RESTRUCTURING

Mr Alvin Curling (Scarborough-Rouge River): I've got a petition here which is supported by Scarborough-Rouge River too.

"To the Legislative Assembly of Ontario:

"Whereas the citizens of Victoria county had no direct say in the creation of the new city of Kawartha Lakes; and

"Whereas the government, by regulation and legislation, forced the recent amalgamation, against the will of the obvious majority of the people; and

"Whereas the government has not delivered the promised streamlined, more efficient and accountable local government, nor the provision of better services at reduced costs; and

"Whereas the promise of tax decreases has not been met, based on current assessments; and

"Whereas the expected transition costs to area taxpayers of this forced amalgamation have already exceeded the promised amount by over three times;

"Be it resolved that we, the undersigned, demand that the Legislative Assembly of Ontario immediately rescind this forced amalgamation order and return our local municipal government back to the local citizens and their democratically elected officials in Victoria county and remove the bureaucratic, dictatorial, single-tier governance it has coerced on all local residents."

I'm going to affix my signature to this, in full agreement with this petition.

CHILD CARE

Mr Gilles Bisson (Timmins-James Bay): I have a petition here, signed by a number of people up in the Timmins-James Bay area, that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas an internal government document indicates the Conservative government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas further cuts would run counter to the support identified for regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

"Whereas the Conservative government received \$114 million this year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program; and

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow in Ontario;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government's mandate. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care."

I sign that petition in full agreement.

LORD'S PRAYER

Mr Tascona: I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

LONDON HEALTH SCIENCES CENTRE

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children ... at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure that these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I too have signed this petition.

COMMUNITY CARE ACCESS CENTRES
CENTRES D'ACCÈS AUX SOINS
COMMUNAUTAIRES

Mrs Claudette Boyer (Ottawa-Vanier): I have a petition from the constituents of Ottawa-Vanier which reads:

"Whereas the Mike Harris government promised to institute patient-based budgeting for health care services in the 1995 Common Sense Revolution; and

"Whereas community care access centres now face a collective shortfall of \$175 million due to a funding freeze by the provincial government;

« Attendu qu'en raison de ce manque à gagner dans leur financement, les CASC ont dû réduire les services de soins à domicile, ce qui a répercussions sur bon nombre d'Ontariens et d'Ontariennes malades et âgés ;

« Attendu que ces réductions dans les services ont principalement été effectuées dans les services d'auxiliaires familiales, ce qui oblige » encore une fois « les Ontariens et Ontariennes à recourir à des établissements de soins de longue durée plus coûteux ou à retourner à l'hôpital,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately institute real patient-based budgeting for health care services, including home care, so as to ensure that working families in Ontario can access the health care services they need."

It is with pleasure that I write on this petition.

ADOPTION DISCLOSURE

Mr Gilles Bisson (Timmins-James Bay): Again I have a petition here from the people in the Timmins-James Bay riding, this time on a different issue, which reads:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to:

"(1) permit adult adoptees unrestricted access to full personal identifying birth information;

"(2) permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18;

"(3) permit adoptive parents unrestricted access to identifying birth information of their minor children;

"(4) allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; and

"(5) replace mandatory reunion counselling with optional counselling."

I sign that petition and agree fully with it.

LORD'S PRAYER

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

CRUELTY TO ANIMALS

Mr John Gerretsen (Kingston and the Islands): This is a petition addressed to the provincial Legislature of Ontario, and it's to shut down puppy mills and stop cruel animal breeding activities by passing MPP Mike Colle's private member's bill, which will be up for debate this Thursday morning. It states as follows:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding

activities, and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the Society for the Prevention of Cruelty to Animals to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public.”

I agree with the petition, I've signed it and I'm now handing it to Andrew, one of our pages.

ORDERS OF THE DAY

OAK RIDGES MORaine CONSERVATION ACT, 2001

LOI DE 2001 SUR LA CONSERVATION DE LA MORaine D'OAK RIDGES

Resuming the debate adjourned on November 7, 2001, on the motion for second reading of Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.

The Acting Speaker (Mr Bert Johnson): Pursuant to the order of the House dated December 3, 2001, I am now required to put the question.

Mr Kells has moved second reading of Bill 122.

Interjections.

The Acting Speaker: You may have some comments and they would be quite welcome outside the chamber at any time. The member for Timmins-James Bay will bring himself to order.

Mr Kells has moved second reading of Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan.

Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1543 to 1548.

The Acting Speaker: First let me apologize that the order of the House has to interrupt your conversations.

On November 5, 2001, Mr Kells moved second reading of Bill 122. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Arnott, Ted
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette

Elliott, Brenda
Flaherty, Jim
Galt, Doug
Gerretsen, John
Gilchrist, Steve
Gill, Raminder
Gravelle, Michael
Guzzo, Garry J.
Hampton, Howard

Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Pupatello, Sandra

Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Christopherson, David
Chudleigh, Ted
Churley, Marilyn
Clark, Brad
Cleary, John C.
Clement, Tony
Coburn, Brian
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce
Cunningham, Dianne
Curling, Alvin
DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Hardeman, Ernie
Hodgson, Chris
Hoy, Pat
Hudak, Tim
Jackson, Cameron
Johns, Helen
Kells, Morley
Kennedy, Gerard
Klees, Frank
Kormos, Peter
Marchese, Rosario
Marland, Margaret
Martel, Shelley
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Munro, Julia
Murdoch, Bill

Ramsay, David
Runciman, Robert W.
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Smitherman, George
Snobelen, John
Sorbara, Greg
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Wettlauffer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Acting Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 94; the nays are 0.

The Acting Speaker: I declare the motion carried.

Pursuant to the same order of December 3, 2001, this bill is referred to the standing committee on general government.

Interjections.

The Acting Speaker: I was out of line a few minutes ago. I made a smart-aleck remark, and I shouldn't have. What I should have said was that I expect proper decorum during votes and so on. I don't know that anybody has ever been ejected during a vote, but if you'd like, make it today.

RESPONSIBLE CHOICES FOR GROWTH AND FISCAL RESPONSIBILITY ACT (BUDGET MEASURES), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILITÉ FINANCIÈRE (MESURES BUDGÉTAIRES)

Resuming the debate adjourned on November 27, 2001, on the motion for second reading of Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.

The Acting Speaker (Mr Bert Johnson): Pursuant to the order of the House dated November 28, 2001, I am now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it. Call in the members; this will be a five-minute bell.

The division bells rang from 1554 to 1559.

The Acting Speaker: On November 21, Mrs Elliott moved second reading of Bill 127. All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Beaubien, Marcel	Jackson, Cameron	Snobelen, John
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Kells, Morley	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stewart, R. Gary
Coburn, Brian	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Miller, Norm	Turnbull, David
Elliott, Brenda	Molinari, Tina R.	Wettlaufer, Wayne
Flaherty, Jim	Munro, Julia	Wilson, Jim
Galt, Doug	Murdoch, Bill	Witmer, Elizabeth
Gilchrist, Steve	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	Newman, Dan	Young, David
Guzzo, Garry J.	O'Toole, John	

The Acting Speaker: All opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Curling, Alvin	McLeod, Lyn
Bisson, Gilles	Di Cocco, Caroline	McMeekin, Ted
Bountrogianni, Marie	Dombrowsky, Leona	Parsons, Ernie
Boyer, Claudette	Duncan, Dwight	Patten, Richard
Bradley, James J.	Gerretsen, John	Peters, Steve
Brown, Michael A.	Gravelle, Michael	Phillips, Gerry
Bryant, Michael	Hampton, Howard	Prue, Michael
Caplan, David	Hoy, Pat	Pupatello, Sandra
Christopherson, David	Kennedy, Gerard	Ramsay, David
Cleary, John C.	Kormos, Peter	Ruprecht, Tony
Colle, Mike	Kwinter, Monte	Sergio, Mario
Conway, Sean G.	Marchese, Rosario	Smitherman, George
Cordiano, Joseph	Martel, Shelley	Sorbara, Greg

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 42.

The Acting Speaker: I declare the motion carried.

Pursuant to the order of the House of the same date, November 28, this bill stands referred for third reading.

I want to thank you for the orderly way you conducted yourselves during the vote. If some would like to make their way out, this would be a good opportunity to do it.

RESPONSIBLE CHOICES FOR GROWTH AND FISCAL RESPONSIBILITY ACT (BUDGET MEASURES), 2001

LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS FAVORISANT LA CROISSANCE ET LA RESPONSABILITÉ FINANCIÈRE (MESURES BUDGÉTAIRES)

Mr O'Toole, on behalf of Mr Flaherty, moved third reading of the following bill:

Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / *Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.*

Mr John O'Toole (Durham): Indeed it's my pleasure as the parliamentary assistant to Minister Flaherty, the Minister of Finance, to rise today on third reading of Bill 127. It's my pleasure to share the key measures in Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001. In addition to measures announced in the 2001 Ontario budget, this bill contains a number of initiatives announced in recent weeks, including important tax measures and commitments to **infrastructure**. Together, these measures will **help our government meet** our goal of ensuring Ontario has the best-performing economy and highest quality of life in North America within the next 10 years.

As you know, our tax strategies have been an integral part of this government's comprehensive economic policies since 1995. Under the leadership, I might say, of our current Minister of Finance and Deputy Premier, Minister Flaherty, I'm confident the future looks bright. Our tax policies are the single most important reason why Ontario has enjoyed strong economic growth, why a total of 824,000 net new jobs have been created and why disposable income has increased by 20% and tax revenues, remarkably, have increased by \$15 billion since 1995.

There's more to be done. In the 2001 budget, we announced further cuts to personal income tax, business income, corporate and capital taxes, which are intended to ensure that our province continues on the road to prosperity. The next step in these cuts was to come into effect on January 1, 2002.

Under the strong leadership of this government, the tragic events of September 11 and their aftershock rippled through our economy, as it did throughout North America and indeed the world. They have led our leadership to rethink our schedule of implementing these cuts and have resulted in our decision to propose accelerating these cuts to October 1, 2001—good news for small businesses, not just in Durham but indeed throughout the province of Ontario.

Accelerating tax cuts could provide a more immediate stimulus to the provincial economy, which is currently experiencing a slowdown, slower than anticipated. Accelerated cuts to personal income tax would leave more money in the pockets of Ontario's hard-working taxpayers during these difficult times. Accelerating corporate income and capital tax cuts would free up to \$116 million in savings this year that businesses can use to invest, indeed helping to keep workers on the job and on the payroll. Cuts to business tax also send a strong signal to investors that Ontario is open for business. Tax cuts will remain the cornerstone of our economic policies and our collective value in those, and we will continue along the economic course that we set out in 1995.

Slower economic growth such as that currently being experienced in the province affects both the people and

the businesses of Ontario. The businesses I'm referring to are the small businesses. These are small businesses that these tax measures more importantly affect.

We know that low- and middle-income families with young children are particularly hard hit by any economic slowdown, and we believe it is important to provide these families with some extra help, especially at this time of year. Our minister and this bill propose to provide eligible low- and middle-income families with a one-time tax-free payment of \$100 for each child under the age of seven to help them do what they do best, that is, care for their children and their families.

This proposed one-time payment has generated tremendous excitement among the citizens and businesses in this province. I encourage, and the minister has encouraged, retailers across the province to put their support behind these payments and enhance them. This will only add to how helpful these measures will be to Ontario's low- and middle-income hard-working families. It is, of course, the responsible thing to do; it is the right thing to do.

As promised in the 2001 Ontario budget, the province is assuming a leadership role in promoting an efficient, integrated transportation system across Ontario. Taking back responsibility for GO Transit is a significant part of our promise, and it demonstrates our commitment to addressing traffic gridlock throughout the greater Toronto area, supporting economic growth and protecting the environment, two important priorities for this government.

1610

Municipalities in the greater Toronto area would benefit from this initiative—and indeed I could say the region of Durham will benefit, and my constituents—as it relieves them of the responsibility for GO Transit, freeing up \$100 million for reinvestment in local and regional transportation priorities.

Commuters would benefit by enjoying more efficient methods of transportation choices as well as having less gridlock to contend with and more time to spend with their families.

Benefits will accrue to business, because an efficient transportation system reduces costs, improves competitiveness, attracts investment and supports sustained economic growth.

Finally, the environment would benefit—and that includes all of us, for a better quality of life—from a reduced dependence on automobiles by commuters, reduced air pollution and reduced congestion on provincial highways and other roads.

The anticipated—and achievable—outcomes of our transit initiative, therefore, are cleaner air, less crowded roads, more competitive businesses and a higher quality of life for all Ontarians.

It is estimated that the small and medium-sized businesses create more than half of all new jobs. During a time of slower economic growth, these businesses are more important than ever to the provincial economy. Since 1995, we have introduced measures designed spe-

cifically to assist small and medium-sized businesses in this province, and this will indeed continue and is our legacy of support for small business.

The accelerated tax cuts are clearly an indication of the focus of this government to make sure that we create jobs in the economy that creates jobs by working in partnerships with the private sector and indeed all the hard-working taxpayers who really just want the opportunity to work.

We are proposing to accelerate the application of the small business income tax rate to more businesses. Currently, this rate is 6.5% and applies to the first \$240,000 of income. We would accelerate a reduction from 6.5% to 6% and raise the eligibility threshold from \$240,000 to \$280,000, effective October 1, 2001.

These initiatives were first introduced in the 2000 budget and were originally scheduled to take effect January 1, 2002. However, accelerating the application of the reduced rate and the increased threshold to October 1, 2001, would provide more immediate benefits for Ontario's small and medium-sized businesses, which is vital during this period of global, if not local, economic uncertainty.

The point here is to be there to support small business by introducing tax policy and strategy on a timely basis when and where it's needed.

Currently, corporations, many of whom are large employers, are required to pay monthly corporate tax instalments if annual tax payable in the current or preceding year is \$2,000 or more.

We understand that Ontario's small business owners would rather focus their efforts on creating jobs, not filling out unnecessary, complicated red tape and paperwork.

In the 2001 budget, therefore, we proposed to reduce red tape for Ontario's small businesses by allowing businesses with corporate tax payable of at least \$2,000 and less than \$10,000—these are small businesses—to remit tax instalments quarterly instead of monthly, a simple procedural improvement, eliminating red tape and paperwork, allowing them to focus on core business priorities. This change would apply to taxation years commencing in 2002.

Allowing a simplification of tax filing procedures is a significant red-tape reduction measure that would help encourage the growth of Ontario's small business community.

We also propose to extend the deadline for registering new community small business investment funds for an additional year, from December 31, 2001, to December 31, 2002. Good news, indeed. This would allow the program to continue to raise much-needed venture capital for small business, especially in the areas of university and hospital research, the commercialization of academic concepts to marketable commercial ideas and products.

One of the most important tax-based incentives for research and development, R&D, is the super allowance, which provides over \$100 million in benefits to R&D-performing firms. The federal government, in its 2000

budget, stated that provincial deductions for research and development in excess of actual expenditures would be treated as taxable government assistance. We made our opposition to this measure very clear, very early, under Minister Flaherty's insistence. We do not believe in eroding support for very badly needed research and development right here in Ontario for our small businesses and our university and development centres.

In order to maintain support for ongoing research and development and to respond to the 2000 federal budget, which raised the cost for R&D in this province, Ontario's budget proposed to do the following: suspend the R&D super allowance and allow corporations to exclude the federal research and development tax credit from Ontario taxable income. Really, the federal government was **clawing back** any benefit that we were providing, therefore penalizing colleges, universities and small business partners in important R&D projects. Ontario's proposed action would restore R&D tax benefits for most firms to their level before the federal budget.

Throughout my remarks, I have spoken of our measures to address current economic challenges, of our responsible choices to benefit the people and businesses of this province. Our minister and Premier Harris are committed, through the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, to protecting the gains we have made and ensuring that the outlook remains bright for the people of Ontario and our collective future.

In my concluding remarks, September 11 was a wake-up call for all Canadians. This government, by responding in an appropriate fiscal manner, injected stimulus through the measures that I've announced here today, following on third reading. We're still waiting for the federal budget, which will be read next Monday in Ottawa. The point that's being made by the question period here today, and that I want to leave on the record, is that the federal share in health payments is an important issue that people who might be listening today should be aware of.

In the Mulroney government, the federal government was funding health care at about 18 cents on the dollar. When the Chrétien Liberal government came into power, they reduced that funding to the order of about nine cents on the dollar. Under the insistence of Premier Harris and indeed the Premiers from all the provinces, in around 1995 they increased that share to about 14 cents on the dollar.

More is needed. The demands on health care and our environment are high and it's apparent. I'm looking for the federal government on Monday to make sure that they understand and appreciate that this is a high priority, not just for this government but for the people of Ontario, and I expect the opposition in their remarks to call on the federal government to do their fair share. Health care is the number one priority.

The Acting Speaker (Mr Bert Johnson): Further debate?

Mr Bruce Crozier (Essex): The spring budget brought in earlier this year, the budget for 2001-02, is of

course a fiscal plan for the government to give some idea of its spending over the next year. As well, this bill, Bill 127, is named so that some of those initiatives may be further refined and enacted. In fact, in the case of corporate and provincial income taxes they're even going to be expedited.

The Provincial Auditor, an officer of this Legislature, is the individual who is charged with the responsibility to then take that government plan, to take the government spending, to take the government's accountability into consideration and to report back to the Legislature and tell us how well the government is doing.

1620

I'm going to quote from the recent report of the Provincial Auditor to give some indication why there might be **reluctance** in some instances for the federal government to pass any money on to this government. I think we all want to remind ourselves and the so-called senior government in our country that health care is one of the issues that's foremost in our minds, and I certainly do that when I speak with my federal member. Let me put into some context the concern there is, oftentimes, when money is passed on to another level of government.

For example, this government back in 1995, when it was first elected, notwithstanding the fact that the new Premier, who previously had been the leader of the third party, said that the province was bankrupt, decided at that time that it would give the citizens and the corporations of Ontario a dividend. I don't think this would happen in normal business, but in this case the Premier decided that the province was bankrupt but they were still going to give a dividend, so he went out and borrowed \$20 billion for his tax cut, and we're still paying for it. Today, they want to enhance the tax cuts to corporations, which will amount to about \$2.5 billion, when many of us on this side of the House and I think many of the people of Ontario would prefer that it be put into health care.

I want to quote from the document of the Provincial Auditor, his report of this year, which is a very extensive report and I think a fair report, some 380 pages long. Let me just quote in part, from page 349 on, under the heading "Ontario's Accounting for Supplemental Federal Health Care Transfer."

"The largest transfers from the federal government" of Canada "are the Canada health and social transfer payments," as we all know, the CHST payments. "... the federal government irrevocably committed" a year ago "to ... a \$3.5-billion supplement to its existing Canada health and social transfer program. The \$3.5 billion was to provide additional provincial and territorial health care funding for a three-year period commencing in the 1999-2000 fiscal year and ending in the 2001-02 fiscal year...."

Just "one year later, on March 31, 2000, the federal government created a second irrevocable trust, the Canada health and social transfer supplement trust.... A total of \$2.5 billion was irrevocably committed and later provided under this trust agreement, to cover a four-year period commencing in the 2000-01 fiscal year and ending in the 2003-04 fiscal year...." So we have \$2.5 billion and

\$3.5 billion: \$6 billion in irrevocable money transferred to the provinces and territories.

"Once the trusts were funded, provinces," in this case the province of Ontario, "began withdrawing their respective allocations. The federal government treated the first \$3.5-billion transfer as an expenditure for its fiscal year ended March 31, 1999, and the second \$2.5 billion" of this \$6 billion in transfers "as an expenditure for its fiscal year ended March 31, 2000."

Here is where it starts to get interesting. Ontario has "taken the funds into income in a manner consistent with the periods set out in the federal schedules." In other words, the province of Ontario did it right. They took the first \$3.5 billion into income in the year in which they received it and they took the second \$2.5-billion transfer from the federal government into income in the year it was received.

Now the Provincial Auditor gets a bit concerned. I won't put words into the Provincial Auditor's mouth, but if it were me, I would start to think that maybe the province of Ontario was cooking the books, maybe the province of Ontario has two sets of books. I emphasize those are my words, not those of the Provincial Auditor. I will quote again, then, from the Provincial Auditor's report, on page 350, under the heading "Need for Greater Consistency and Transparency in Ontario's Accounting." The Provincial Auditor says:

"As I commented on last year, \$1 billion in grant funding was provided in May 2000 to Ontario hospitals to help finance proposed capital construction projects over the subsequent four years. The entire \$1 billion was charged to expenditure for the fiscal year ending March 31, 2000.

"This year, an additional \$140 million was provided to seven of the hospitals based on revisions to the originally submitted future plans. Again, the entire \$140 million was provided subsequent to March 31, 2001, but charged to expenditures for the fiscal year ending March 31, 2001."

"Therefore," the auditor concludes, "these grants have not been accounted for in the same manner as the Canadian health and social transfer revenues—that is, allocated to each of the accounting periods that the grants are meant to apply to."

I quote further from the 2001 auditor's report.

"Contributing to the inconsistency and lack of transparency in Ontario's health care accounting is the fact that the province's accounting records for all government expenditures continue to be maintained and publicly disclosed on two separate bases: the modified cash basis for legislative appropriation control and the modified accrual basis as prescribed" in accounting "standards."

The auditor goes on to say with respect to these transfers, the \$6 billion in transfers from the federal government, "Given what is occurring, as illustrated above, I am also concerned that public reporting on two different bases can only contribute to public confusion with respect to annual expenditures and financial results."

Today we are told that there are advertisements throughout Ontario about the concern of Ontario with the

funding that's being received from the federal government. I say to the members opposite and particularly to the Minister of Finance and to the Premier, Mr Harris, that if we were to treat those funds in a fair, transparent and open manner, perhaps the federal government would have more trust in transferring them to you.

I don't think that if any of us were in business and conducted our accounting affairs that way, we would last very long. I happen to be an accountant by profession. I was the chief financial officer of a retail lumber business for 22 years. I can't recall in 22 years of audits when my auditor ever came in and said, "Bruce, it's OK for you to have two sets of books." We always had to account for the monies received, or the sales that we had, if you like, on an accrual basis, if you're going to treat everything on an accrual basis. By the same token, this government is being told by the Provincial Auditor that you can't take this \$6 billion in special trust money that has been sent to you by the federal government and treat it as income one way and treat the expenditures in another.

We talk about trust. We talk about trust with our municipal partners, and we should talk about trust when it comes to the way we deal with our federal partners. So as part of this discussion today, and as part of the discussion on this budget bill, I only point out that if you have trust with your other partner, it's much easier to carry on business with them, and, in this case, perhaps the federal government would be much more likely to transfer funding to the province if they only knew that it was going to be treated, from an accounting standpoint, in a fair way and if it were only going to be spent in the right place. As I said, in business, if the Treasurer of a company did that—and in this case I'm referring to the Treasurer of Ontario—he'd be fired.

1630

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate with respect to Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act (Budget Measures), 2001. There are a number of measures in this piece of legislation that are very positive news for the province of Ontario from a fiscal point of view. In particular, for my riding of Barrie-Simcoe-Bradford, the province, through this legislation, is taking back responsibility for GO Transit, in terms of its operations.

The reason I find that very important is that, in looking at the history of GO Transit, in 1992, the government of the day—that was the NDP government—decided to remove and discontinue the GO operations from the city of Barrie, which connected through the town of Innisfil to Bradford-West Gwillimbury. Since that time, there has been no GO service connecting Barrie to Bradford-West Gwillimbury. The town of Bradford-West Gwillimbury does have GO service. In fact, they have three trains a day from the station in Bradford-West Gwillimbury.

The province took some very significant action. There had been action taken by the federal government with respect to passing legislation in 1996 that led to the discontinuance of rail lines, in particular those owned by

CN and CP, which resulted in a piece of legislation that saw the permanent removal of the railway track from Barrie to Orillia. The line between Bradford-West Gwillimbury and the city of Barrie was slated for removal, but thanks to negotiations through the city of Barrie and the provincial government, the rail was secured through the purchase of the line. The province contributed \$2 million toward preserving the line between Barrie and Bradford-West Gwillimbury. The city of Barrie was the purchaser of the line and also the waterfront lands around the city of Barrie, where the rail line follows.

I have worked very hard to try to get GO Transit to return to the city of Barrie and service the town of Innisfil through Bradford-West Gwillimbury. Certainly when GO Transit was looking at their operations, when the Greater Toronto Services Board was established in 1997, I made it very clear to the GO Transit people that we wanted to keep the rail line and the GO operations in Bradford-West Gwillimbury. Fortunately, the GO Transit people decided to keep it there, even though Bradford-West Gwillimbury, which is in Simcoe county, was outside the boundaries of the Greater Toronto Services Board. They kept it there because, quite frankly, it was in their interest to keep it there, and it was also used as the turnaround part of the GO Transit line.

So the line and the GO Transit operations were maintained in Bradford-West Gwillimbury. Since that time, not only was the line between Barrie and Bradford secured through funds from the provincial government through the city of Barrie, but GO Transit has purchased its rail track from CN, so GO Transit owns the line that used to be CN that serviced the Go Transit. So the line is now owned by GO Transit up to Bradford-West Gwillimbury.

The issue I'm excited about is the Barrie passenger rail services committee, which I recently chaired and which was headed up by a number of individuals: Jack Lennox from the town of Innisfil and Jack Garner from the city of Barrie, just to name a few. We worked very hard for a number of years, and we recently brought forth a study with respect to the economic feasibility of returning GO Transit to the city of Barrie and the town of Innisfil. That study was funded by the city of Barrie, the towns of Essa, Oro-Medonte, Innisfil and New Tecumseh, VIA Rail and SuperBuild of the province of Ontario.

It's also important to note that VIA Rail has not provided service to the city of Barrie since 1983, when the federal Liberal government of that day decided to discontinue rail service to the city of Barrie. But VIA Rail has shown some interest in their line expansion, so we're hopeful that they will continue to have interest in the city of Barrie in terms of providing a commuter rail service there.

The report was released a few months ago, and it indicated that Barrie and the town of Innisfil were quite capable of supporting the three trains currently in the town of Bradford-West Gwillimbury through their

population and ridership. When the line was removed by the NDP government back in 1992, Barrie's population was around the 50,000 area and I think Innisfil's wasn't even 20,000. Since then, the population of Simcoe county, and the city of Barrie and Innisfil within it, has significantly increased. Anyone who drives the 400 knows that the traffic on that highway seven days a week, up and down, north and south, is very, very congested and is growing significantly because of the home construction that is happening there.

That report was given to all the parties that participated in it. I'm hopeful that VIA Rail has interest in commuter rail service in the city of Barrie. I know they do provide some rail service through GO Transit to the city of Hamilton, for example. But also, with the province getting back into GO Transit, I've certainly made the Minister of Transportation very aware of the interest in my riding of returning to the GO Transit system. I think there is reason to be optimistic that that can occur, because we have maintained the rail and there is a market for that rail service. I think it's in the interests of good, sound transportation planning, environmental planning and certainly the infrastructure growth north of Highway 7 and up to the county of Simcoe for that to happen.

For me, that's one of the major pieces in the legislation that provides some real input and stimulus in terms of economic growth for my riding. I think it's also good news in terms of addressing gridlock through the greater Toronto area because of the province's commitment to take back responsibility for GO Transit. So I would say that, with the passage of this legislation, we're going to enter another era of public transit in this province, something I believe is very, very important for the province to be involved in, and certainly something that is in step with what's happening in other jurisdictions, especially in the United States, in the northeast and in the Midwest, in terms of the investments that the state governments put into public transit. They recognize it is certainly in the interest of the infrastructure of the area, it is certainly an environmentally sensitive form of transportation, and it also addresses the transportation needs of the areas in question.

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Let's face it, the automobile on the highway isn't the only mode of transportation. I would certainly hope that the federal government also looks along those lines and increases their involvement in public transit. I believe that what we have here is a great opportunity for public transit to play a very important role, because of the tremendous growth that we have seen in the population in and around the greater Toronto area, and it's just not going to stop. It's going to continue. We'll see that growth. I think they say there are about 100,000 new people who come to the city of Toronto every year. There are people coming from the city of Toronto, moving into other areas, people moving into my area—just phenomenal growth that we've seen now. I think Barrie's population could be estimated in the area of 125,000. I know Innisfil has grown to about 28,000, and Bradford is slightly less than that.

This is a great opportunity. I want to commend the government, for the vision that they're showing with respect to public transit and the importance of GO Transit in the everyday lives of the people in this province.

Mr John Gerretsen (Kingston and the Islands): It was kind of interesting listening to the last speaker talk about transit and the demands that he places on the federal government, when he well knows that it was this government that basically got out of the transit business about five years ago. It has now recognized the error of its ways and decided to go back into the transit business again. I applaud you for that, because it's a well-known fact that transit across the province, whether it's GO, or the local transit in the smaller communities, couldn't exist without the support from the provincial government.

It's rather unfortunate. Here we have a bill, which is an omnibus bill that goes on for 171 pages, which affects some 30 different acts—and some of the acts are very major—that the province has under its jurisdiction, and we are expected to deal with it on third reading in the matter of a two-hour debate here this afternoon, because this is another bill that has been time allocated.

So far, over the last three or four weeks, every bill has come to us as a result of time allocation. There may have been one or two minor exceptions, but every bill with any meaning has come by time allocation. The reason I'm saying that is that this bill contains so many different provisions. There are some good things in the bill. There's the one about transit—that government has decided to get more heavily involved in the transit financing again is a good thing—and the one dealing with heritage properties, allowing municipalities to basically give tax relief to individuals who own heritage properties.

I can tell you that in my community of Kingston we have over 400 designated heritage properties. At one time, I believe we had more properties designated under the Ontario Heritage Act than in the rest of the province together. As a matter of fact, it's the only act that's ever been proclaimed outside of Queen's Park—in Kingston, back in 1971 or 1972. We know the value of heritage property, not only to the individual, but to the community as a whole. We realize that we have to put measures in place whereby government protects these properties and also encourages the owners to protect the properties. If some tax relief can be given to individuals who own heritage properties, so much the better. So there are two good measures in the bill.

Unfortunately, with an omnibus bill like this, there are many, many other aspects of it that we cannot agree with under any circumstances. The fundamental disagreement we have with this bill is the corporate tax cut of \$2.2 billion, that was first initiated by this government back when the economy was going full blast in April or May of this year, and it's still being adhered to in this bill. As a matter of fact, the corporate tax cut of \$2.2 billion is not only being implemented when it was initially intended, namely next January 1, but in this bill it has been made retroactive to October 1 of this year. Not only

is that costing the public purse some \$187 million, but also the notion of having a corporate tax cut of this magnitude, or any tax cut, when we know the province is going through serious economic problems right now, is preposterous. Even one of the leadership candidates in the Tory leadership race, Chris Stockwell, has indicated that you cannot talk about tax cuts at a time when the economy is going through a cycle that it's currently going through. It's as simple as that.

You have choices, of course. You can still have your tax cuts by either going into a deficit situation, which nobody wants to do, or you can cut programs. So why don't you at least have the courage of your own convictions and say, "Yes. As a result of the corporate tax cut that we're implementing—and not only implementing, but implementing faster than was originally contemplated—we are going to cut the money out of programs, and probably out of the Ministry of Agriculture, the Ministry of the Environment, just about any ministry you can think of?"

When you think of all the problems we've had recently with respect to Walkerton, with respect to the food inspection deficiencies that the auditor has brought to our attention in his latest report, people feel a sense of insecurity and feel unsafe about the world they live in and the food they eat and the water they drink, and you can just go on and on. Nobody is going to tell me that if you do have to make those kinds of cuts, those cuts aren't going to come in health care and education, on which we spend roughly two thirds of the entire budget for the province. I say to the government, you have made a very bad situation even worse by implementing or by accelerating the tax cuts that you had originally proposed this spring.

You can look at it in so many different ways. The one that I find interesting is that the government's reasoning for accelerating the tax cut from January 1 to October 1 was in order to stimulate the economy, which is going through some troubled times right now. Yet at the same time we know that many companies out there that will be implementing the tax cut for their employees in the personal income tax area cannot implement it—there were stories in the media a couple of weeks ago—until after January 1, because their payroll systems aren't set up for that. So I say to myself, why have it at all if the people cannot even get the money into their pockets now that they can spend, presumably in order to boost the economy that you're saying needs a boost right now? The whole thing makes absolutely no sense. That's why we are fundamentally against Bill 127.

Then you look at some of the other things that are happening around the services to people, particularly the vulnerable and the elderly in our community, and I think of the community care access centres across this province that have been crying out for at least the same level of funding that they got last year, so they can provide the necessary services to those people who come out of hospitals quicker and sicker, to those individuals who want to stay in their own homes rather than go into a

nursing home, at probably a much greater expense than if they were given some nursing care and home care in their own communities.

How does the government deal with that situation? It doesn't give them the money they require, and these are not exorbitant demands by these organizations. It basically is telling them, through Bill 130, which we have already debated and will be debating in this House over the next little while, "The board of directors of all of these organizations are out of here. We no longer have any use for you. You're the people to blame for not getting the necessary home care services in your communities." And these are all volunteer boards. Many of these people were appointed by the government in the first place. Many of these people are leaders in their own communities. Many of these people have been involved in the health care sector or in other boards for many, many years. And what does the government want to do? It wants to get rid of those boards so it can appoint its own boards by order in council, and not only that, not only the boards, but the executive director of each one of the community care access centres will also be appointed by order in council.

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What kind of image does that leave? It leaves the image that the person who is in charge of the administration of each one of these community care access centres and the board that manages them will all be appointed by the government. That leads to only one conclusion: that these people will obviously be in such a position that they will be afraid to criticize the government or ask for more money because in effect, in their jobs, in their positions, they will be beholden to the government.

That, to me, is something I cannot comprehend. That's got to be about the lowest any government can go, by saying to the well-established boards, "You don't know what you're doing. It's all your fault and we're not going to give you any more money, even though that is the real problem so that we can give the services to the individuals involved."

The other issue I quickly want to talk about is the Ontario security fund. We all know that since September 11—it's been talked about in this House ad infinitum during the past three months, and all you have to do is watch television, whether it's CNN, CBC Newsworld or CTV news, the 24-hour news channel—people are afraid for their own sense of security in the world. The security umbrella we used to have around ourselves here in North America, where we somehow thought we were not going to be the subject of terrorism etc., has somehow been breached and broken, and we no longer have that same sense of security. Whatever's happening elsewhere in the world may very well happen here.

The attempt the government has made to deal with that situation, in my opinion, has just been a drop in the bucket. Yes, it's put some money aside, \$2 million or \$3 million for special investigative units etc. What we have suggested is a plan that I think makes eminent sense. We

are saying, why don't we take \$100 million of capital money that is already in the various budgets of Super-Build and put it aside and that the Ontario security fund, and we not only set up all the special little organizations and investigative units that we've talked about, that the government has mentioned, but we also help each local municipality to deal with their own security issues by in effect boosting the police and emergency services in those municipalities by giving them the extra funding to do that? It really wouldn't cost us a penny, because it would come from the capital monies that have already been set aside for projects that, for whatever reason, the government doesn't want to announce.

I say to the members of the government, forget about your corporate tax cuts. I implore you to forget **about it**. We can utilize that money to really build good-quality health care that's accessible to one and all in this province, to give the kind of services the community care access centres need to help the frail and elderly in their communities.

I can tell you of personal incidents, and I will at some stage later on during some other debate, about what the situation is in hospitals right now, where we literally have people in some hospitals waiting for as long as two years—I know what I'm talking about because I was involved with it myself very recently—where people are waiting in acute care hospitals for up to two years to get into a nursing home, to get into a long-term-care facility. I say, surely in a province like Ontario that has so much to offer, where so many people want to come, from all over the world, we can do much better than that.

We don't need corporate tax cuts. We're already competitive with adjoining jurisdictions. What we need is a government truly committed to good-quality health care, accessible to everybody, and to good-quality education, where every one of us and every one of our children can reach their true potential in our society. That's what this government should be about, and Bill 127 isn't doing that.

Mr David Christopherson (Hamilton West): I appreciate the opportunity to join in the debate. Let me just say at the outset that for the entire time that this government has been in power, I and the NDP have maintained that this government talks one world in words, and Ontarians have to live a different world in reality. Of course, the government members always accuse us of not knowing what we're talking about, fear-mongering, trying to rewrite history, we don't understand business well enough and that's why we don't get all the concepts—and on and on and on.

Just the other day we had an interesting document, a scary document actually, tabled here in this House. It was the auditor's report. I want to begin my remarks today, in the short time I have, with what the auditor has to say about some of the key things this government has said to us over the years in terms of how wonderful things are going to be and how much money will be saved and how much more efficient things would be if we just followed the path that this government talks about. Well, given

that they have a majority government, we don't have much choice. The people of Ontario are forced to follow the direction of this government.

And where has that led us? Let's take, to start with, the issue of downloading. Much of the money that this government has found to give away in corporate tax cuts and tax cuts to the very wealthy—and we are talking billions of dollars; not just a few dollars but billions of dollars—a good chunk of that money came from cutting back on transfer payments to municipalities. In my hometown of Hamilton, as in many other communities in Ontario, we've been hit—devastated, actually—by the level of cuts and what it has meant to the budget process municipally and to the ability of Hamilton city council to deliver services.

This government has said all along that the downloading was revenue-neutral. You'll recall that, Speaker: "revenue-neutral," meaning that the value of the services that this government said to municipalities they were now responsible for was balanced by the amount of money they got. We in the opposition and most municipalities across the province maintain that, no, there was a huge imbalance, that you gained money, that your bottom line benefited because you made sure you downloaded more responsibilities than you gave money for.

Toni Skarica, the former member of the Tory government who held the Ancaster-Dundas-Flamborough-Aldershot seat in the new city of Hamilton, voted against your legislation because he couldn't bring himself to say or vote with an argument that said, "This is revenue-neutral." Ultimately, just to point out parenthetically, Speaker, Toni Skarica resigned as an MPP over a broken promise that this government made to him. He resigned because he felt there was a matter of principle. Yet through all of that the government maintained, "Oh, no. It's revenue-neutral. It's just the opposition members fearmongering and it's municipalities bellyaching because they want more money. They're just whining."

What does the auditor have to say? The auditor said, "It's clear that in the province's downloading exercise, they said one thing. It turned out to be something different."

How many times have we said, certainly myself and other members on this side, "Listen, public, they are saying one thing, but what they are going to do is very different"? Now you've got the Provincial Auditor saying that's exactly the case.

Is that the only example in the auditor's report? Oh, no. It's far from being an isolated incident.

One of the big things this government touts as being the saviour of all economic woes is privatization. If it's in the public sector, the government maintains it must be wasteful, it must be overly bureaucratic, there must be too much red tape. All we have to do is privatize it and everything will be wonderful.

1700

If Ontarians had a nickel for every time they heard a government backbencher talk about the benefits of privatization. What does the auditor have to say, though,

the independent, arm's length, non-partisan auditor, the same auditor who was there when we were there? What does he say?

Well, on road maintenance—remember the road maintenance that was privatized? And let's remember that the labour laws were changed to deny public sector workers successor rights. What that means is, in the private sector, if somebody new buys a company and there's a union there, you take the union and the contract and the benefits and the grievance procedure and the health and safety rights with you. It's all one package. But in the province of Ontario, if you're a worker covered by a collective agreement and you work in the provincial public sector and your service is privatized or sold to a new owner, your contract is ripped up and your rights are gone.

What does the auditor say? Because the government would have us believe that, first of all, that's not a horrible thing. And then secondly, they said, "But it's going to be worth it because it's going to give us better service, better roads, and we're going to save money. Therefore it's OK to run roughshod over these workers' lives and the rights that they've earned over decades of negotiation. It's OK to eliminate all that, because at the end of the day, privatization is going to be such a huge win for the public."

What does the auditor say? The auditor said about road maintenance that "the consultants' work cited by the ministry does not sufficiently support the ministry's claims of actual savings achieved from outsourcing," outsourcing, of course, being another word for privatization in this case.

"It is also unlikely that the consultants' report can be used to support the achievement of the 5% savings target set by the Management Board of Cabinet. In addition, we noted that the consultants observed that several cost estimates for the pilot contract were based on historical information that was not kept by the ministry and could not be verified by the consultant."

I say, how convenient.

The auditor goes on to say, "We were particularly concerned about the fact that all highway maintenance activity was irreversibly outsourced without first evaluating the results of outsourcing in the pilot district in order to make a business case for further outsourcing."

That's what the auditor has to say.

I can remember sitting in government on the other side of the House and listening to members of the Tory caucus who were here in the third party in the period between 1990 and 1995, and one of the things they kept touting was that government shouldn't spend a nickel without a business plan. Not a nickel. Heaven forbid you should start a new enterprise, something significant, without that almighty business plan. They jumped on that huge, and here they are six years later being accused by the Provincial Auditor of not doing a proper business plan, an impact study, an economic impact study. You didn't do it. There's a word for that. I can't use it because it's unparliamentary, but what it means is that you say

one thing and you do something else. And that's exactly what the auditor has found you guilty of.

Again, it's not the only example. Driver testing. I believe that legislation has now cleared this place. A little while ago it went off, finished third reading, and now you're going to privatize driver testing. We heard all the same arguments about the benefit of driver testing that we heard about road maintenance. Well, we heard what the auditor thought about your experiment with road maintenance, which, by the way, he points out is irreversible. Where are we with driver testing?

The auditor says, "The financial information presented to the cabinet committee on privatization and SuperBuild to support the ministry's calculations and demonstrate the financial prudence of the licence option was taken from the unfinished business case.... We question the prudence of making important decisions, such as selecting a service delivery option, without sufficient information and without a complete business case.... Therefore, the ministry did not demonstrate to us that a proper cost-benefit analysis was done, nor did it demonstrate the validity of the assumptions and other information on which the decision to outsource was made."

We said at the time that it was pure ideology and this confirms that's all it was: privatize, no matter what. Privatize, privatize, privatize. It doesn't matter whether it makes sense; it doesn't matter whether working families in Ontario get hurt; it doesn't matter whether it's going to be more efficient or not; it doesn't matter whether at the end of the day the public gets better service. The only thing that matters to this government is, "Privatize it." Why? Because whichever company ultimately buys the service probably—there's a good chance—is going to be a supporter of this government. So it's a huge win politically for the government.

Let's remember, this is a government that changed the way elections are financed in Ontario. They doubled the amount of money corporations can contribute to a political campaign. How convenient.

But now the jig is up. The auditor has called you on it. The auditor has pointed out virtually everything we argued from the beginning, which you dismissed with a royal wave of the hand as being just the opposition, in our case, "Just the NDP. What do they know about it?"

You didn't even have the business plan or the cost-benefit analysis that you touted, standing right in this spot. There were members who are in the government today who said you shouldn't do anything without a cost-benefit analysis and a business plan, and you didn't do any of it. And in the other case when you privatized, the money you said would be saved wasn't. What are people left to conclude but that you say one thing and do something else?

Hon Dan Newman (Minister of Northern Development and Mines): It's them.

Mr Christopherson: No, I say to the Minister of Northern Development and Mines, it's not "them," pointing to the official opposition; they're talking about you, you in particular, being a member of the cabinet.

Before I leave the auditor's report—and by the way, you can't give enough emphasis to what this means, the implications, because of the privatization that's going on, because of the continuing downloading that happens, other than in this bill when there's GO Transit. If I have enough time I'll come to that again, but I probably won't; there's not a lot of time.

I didn't hear any of the members, by the way, on the issue of GO Transit, as much as they're repatriating it, as they call it. I didn't hear one of them say, "Sorry. We made a mistake. We really shouldn't have downloaded that to municipalities. It was too much. It's too important an issue to leave to the struggling municipal budgets." Not one of them that I'm aware of—and I'm prepared to stand corrected if there's a Hansard that says otherwise—to my knowledge not one of them in the government has admitted they were wrong.

Because of course they're infallible; they don't make mistakes. I'm not sure what they said. I'd really, really be interested to hear one of the backbenchers address the comments of the auditor. They won't, of course. They'll just go on giving their spin. But I'd like to see them tackle these allegations, these accusations, actually these findings of guilt, head-on.

Tell me why the auditor's wrong when he says that downloading on municipalities wasn't revenue-neutral. Tell me why the auditor was wrong when he said the 5% savings that would be there in privatizing road maintenance didn't happen, and why you haven't made the business case and therefore shouldn't be moving forward with privatizing driver testing. I'd like to hear one of you tackle those quotes dead on and tell me why you say the auditor is wrong and why you're right. When it's all projection, when it's about what's going to happen in the future, oh, you're so comfortable. You know everything there is to know about economics, and every good thing that happened in this province is a result of your genius. Well, geniuses, it ain't the way you said.

With regard to the tax cuts and the bill in front of us today, Bill 127, same story. Corporations will do quite well. I heard one of the backbenchers mention working people. I'd like to know where working people come into this, other than the \$100, which is a smokescreen to cover off the billions you're giving away to corporations, and which, by the way, you don't even make available to the poorest of the poor children in this province. That's how bad a smokescreen it is. This is all for your friends, and we know what the auditor's reports are going to look like down the road.

1710

Before I leave the auditor's report, let me say this: we have all heard this government talk about the fact—and I can remember the 1995 campaign really clearly, where the candidates and the government and ultimately the Premier-elect were talking about the fact that one of the most important things to the Mike Harris Tories in Ontario was transparency and openness, open government and transparency, so you could see through it, you could see what they were doing. This was so huge to them.

What does the auditor say about that? I can't believe it's still not screaming headlines, because it ought to be.

This is what the auditor said about a majority government in the province of Ontario—meaning all-powerful. The auditor said, “For the first time since being appointed Provincial Auditor”—for the first time since he was appointed auditor—“I have to report an instance where my office did not receive all the information and explanations we required.” I'd like to see one of the government backbenchers tackle that head-on. Read that quote and then tell me why the auditor is wrong. It's not going to happen. I guarantee you it's not going to happen, because it can't. The fact of the matter is that for the first time the Provincial Auditor, an officer of this House, was unable to get the information they required to conduct their lawful responsibilities, and it's a government that touted openness that said no.

Further, “When conducting audit examinations, audit staff must have full access to all pertinent information and explanations. During this audit, however, we encountered difficulties and delays in obtaining the required information: we were not given full access to files or given all the information we requested.” This is mind-boggling: “In some cases, information had been altered by deleting parts of documents that were provided, or information was specifically prepared to only answer our questions without providing supporting documentation to verify the answers.” Once again, they love talk, but it's so different from reality. What they say and what they do are worlds apart, and have been since the day they took power in 1995.

“Finally, restrictions were often placed on ministry staff in that they were not allowed to be interviewed without their superiors present.” Come on. If the roles were reversed and we were over there and this governing party was still over here in third place, we'd be peeling some of those members off the ceiling if an auditor's report was tabled with those comments in it. Instead, they all sit there quietly, diligently reading, somehow trying to convince themselves that, “I'm not a part of that; it's got nothing to do with me.” This is so damning.

Just for the record, let's review. There are so many issues in that auditor's report. Again, the party of law and order. That's what they want everybody to believe, that they care about law and order, which is public safety. This is the party of Walkerton. This is the party of Plastimet. And they tell us they care about law and order and public safety more than anybody. When did food stop being a public safety issue? When did water and food stop being public safety?

Look at the headlines: “Ontario Food Safety Blasted”; “Food Safety Branded ‘Critical’”; “Food and Road Fear.” That's because of some people who shouldn't be driving. Because you've cut back on staff, the documents weren't processed properly and people who shouldn't be driving still have valid drivers' licences. Isn't that public safety? It is if it's a family member of mine. For anybody watching this, it's suddenly a major public safety issue.

They want to talk a good story. It's like the Victims' Bill of Rights, and I won't get going too far down that road, but do you remember the Victims' Bill of Rights? That was going to be the be-all and end-all for victims. At the end of the day, you actually rolled in government lawyers to argue that Ontario citizens who you said had rights—you sent in the heavy guns from the government to argue in court that those Ontario citizens didn't have those rights, and Judge Day said so. It's in the public record. They say one thing; they do another. Two different worlds.

Speaking of two different worlds, we all know that on November 21, as a result of there being no flexibility left in the budget because you've given away so many billions of dollars in tax cuts and there's so little wiggle room left in the budget now that revenues are declining—and by the way, if you listen to their earlier speeches about earlier budgets, all that pain we went through was so we wouldn't ever be in recession. The Premier said, “As long as you don't elect any Liberals or NDP, don't worry. We won't ever be in recession.”

Hon Robert W. Runciman (Minister of Economic Development and Trade): It's true.

Mr Christopherson: I hear—I think it was the cabinet minister. Can you believe it? A cabinet minister said, “It's true.” What world does he live in?

Hon Mr Runciman: He didn't say that.

Mr Christopherson: Oh, I think he did. We'll see what Hansard says. They're closer.

Hon Mr Runciman: I'm talking about the Premier.

Mr Christopherson: Oh, yes, he did. The Premier said this. I can send it over later to the minister who's questioning it. Yes, he did say it. He said it in this place. In fact, he said it in answer to a question from the leader of the third party, Howard Hampton. That's exactly what he said. Furthermore, go back and look at the debates coming out of the other previous budgets we've had in this place. Backbenchers in particular, and even some ministers, stood up and said, “Don't worry. Things will turn around under us and we'll never have to go back to the days of recession. Those sorts of things won't happen because we're going to put Ontario on such a firm footing,” yadda yadda yadda.

The reality is that exactly what we said would happen did; that is, the moment the US economy started to turn, ours would turn with it, and as soon as theirs went in the ditch, ours would too. That's exactly what happened. Yes, I hear some of you talk about September 11, and yes, that exacerbated things, no question. But there's not an economist out there who will not acknowledge that with or without September 11, the economy was in serious decline. We're now in recession. We're now facing \$5 billion in cuts to public services so this government can not only maintain their promised \$2.2-billion cut to corporations, but can accelerate the cut from January 1 to October 1.

But it's interesting, because on November 21, Premier Harris was quoted in the Toronto Star in an article by Carolyn Mallan, and I'll read the first two paragraphs:

"Premier Mike Harris says his government is 'absolutely united' in its decision to proceed with corporate tax cuts.

"Harris denied reports yesterday of leadership-driven dissent at the cabinet table about how best to deal with a possible budget shortfall next year that could climb to \$5 billion."

Well, isn't that interesting?

I read into the record the last time we debated this an editorial from Gord McNulty, and it ended with this paragraph:

"Is Flaherty using the economic downturn as an excuse to subject Ontario to a neo-conservative double whammy of program cuts and lower taxes? If so, the cabinet voices who don't share his agenda should draw a line in the sand before it's too late."

1720

I read those two articles because, isn't it interesting that now that the leadership campaign is well under way, one of the members of the executive council, one of the candidates for Premier, has said—I'm paraphrasing but I'm not off the message at all—that he didn't understand how you could have a \$5-billion deficit facing you and still look people in the eye and go ahead with a tax cut. I believe he said, "How do you square the circle?" Exactly.

According to the Premier, everybody is absolutely united. Well, no, they aren't. That's just like saying that if we followed the Tory policies of all the pain we've been through in the last half decade-plus we'd never be in recession. Not true. They said that if we privatize public services, it will be better for the public. Not true. They said if we privatize public services, we'll save money. Not true. They said that their downloading to municipalities would be revenue-neutral, it would be fair. Mike Harris even pinky-swore with Mel Lastman. Not true. Today, the government maintains that this budget bill, Bill 127, is going to be the very instrument that takes us out of recession and takes us into a bright, new, sunny day. Not true.

Yes, everybody likes tax cuts. I like tax cuts. Who doesn't like tax cuts? But when it comes at the expense of the quality of life of the province of Ontario and the kind of upbringing that most of us in this place benefited from, and that we have no right to take away from the next generation, that's not a fair trade-off. That's not worth it. It's not worth this. It's fine if you've already got lots and lots of money, but most people don't. There's nothing here for middle-class folks. There's nothing here for the vast majority, and the people of my community of Hamilton. Just more talk—more talk. They're going to do it again today, as they've been doing. They're going to talk, talk, talk, talk about this wonderful, terrific, beautiful world; this Garden of Eden that they're going to create for all of us. Down the road, it'll be proven yet again that they said one thing and did something entirely different.

Thank you for the opportunity to speak.

Mr Bart Maves (Niagara Falls): It's a pleasure to rise to talk about Bill 127. I just want to respond to some of the comments of my colleague across the way.

First of all, I want to address the Provincial Auditor's report. Everyone who follows provincial or federal politics knows that every year the Provincial Auditor, and the Auditor General in Ottawa do a report. The auditor works for this assembly. Every single year—and you can go back and look at any report over the past decade or further—you will find the auditor's report full of concerns that the auditor has found in areas where he's done value-for-money audit. That is the very purpose of the Provincial Auditor.

Right now, there are 57 members of the government on this side of the House. We have thousands and thousands of people who work in the civil service here in the province of Ontario. Some 57 government members set policy and set broad spending programs, and then we ask those thousands and thousands of people who work for the government to carry out these programs, to carry out these policies. As we move from one issue to the next, in health care, in education, in social assistance, in so many areas, we can't possibly watch every nickel, all 57 of us, by ourselves. That is why we have the Provincial Auditor, and we on this side of the House appreciate the Provincial Auditor.

When he comes back and gives a report that shows there are problems in ministries, in programs that are being delivered by ministries, sure it concerns us. Sure we get bad headlines in the paper that year. It's the same thing that happened to the NDP, only 10 times worse. It's the same thing that happened to the Liberals before them. It's the same thing that happens to the federal Liberals every year a report comes out.

We want to expand the role of the Provincial Auditor's office. We said that. I've had a private member's bill in this place to expand the Provincial Auditor's office because there are billions of dollars of our expenditures, dollars that we give to hospitals, dollars that we give to municipalities and other transfer partners, that we can't audit right now. In fact, some of those institutions, hospitals, universities and colleges have actually hired lawyers to keep the Provincial Auditor out, and that's shameful. That's why we need to expand it. That's an initiative that this government is taking, and the other parties failed to do that.

The other thing is, as I said, I'm a member of the public accounts committee, with several members opposite. What we now do is—I want the folks at home to know the process—the ministries have to respond to the Provincial Auditor. Many of them already have. Right in the Provincial Auditor's report are the responses to the concerns of the Provincial Auditor. We continue to follow that up by bringing these civil servants mentioned in the Provincial Auditor's report to the public accounts committee, where we ask them about the Provincial Auditor's concerns and we ask them what they're going to do. We then follow that up by writing reports asking the ministries to continue to take steps to address these concerns. It's an annual process. It's a good process that this Legislative Assembly has had for many years, and we will continue it. In fact, we want to expand it. The parties opposite refuse to do that.

I want to also talk about the member from Essex, who was in here earlier. Again, strangely to me and strangely to the members opposite in the third party, we can't understand why—well, I can, actually—the Ontario Liberals continue to try to defend the indefensible. They try to defend the federal Liberals' cuts to health care. Everybody in Canada understands that the federal Liberals have cut their spending in health care. Everybody understands—

Interjection.

The Acting Speaker: Member for Hamilton East, come to order.

Mr Maves: The member from Hamilton East, again, is trying to defend his federal cousins. He thinks the federal Liberals cutting health care is a good thing, I guess; he thinks it's OK. We disagree with that. Every single provincial government in Canada, every single Premier, be it Liberal, be it NDP, be it Conservative, has said they're cutting health care. Allan Rock, the federal health minister, admitted that he cut health care funding from the federal Liberals. We've increased health care funding by over \$6 billion. We've increased it every single year we've been in office. In 1993, I just want to point out to the members opposite, 18 cents of every dollar spent on health care in Ontario came from the federal Tories. That was in the Brian Mulroney days. The federal Liberals cut that to 11 cents by 1999 and they admitted they've cut it. They didn't hide from that fact. They admit that openly.

Now we've put a lot of pressure on them. Premier Harris led the way with all the other Premiers and everyone in the country, including Howard Hampton, the leader of the NDP, signed a letter saying, "Federal Liberals, you cut health care. Restore health care." Mr Harris led the fight, and of course, before they had to face a federal election, the federal Liberals started to put some money back. How much did they put back? Not nearly enough. They're now at 14 cents out of every dollar, so they're still not back to the 18 cents where they were in 1993. How the members opposite could continue to defend that is beyond me.

One of the things they try to talk about is this non-sense tax points argument that the Liberals try to make. Back in 1977, the federal government said, "We're going to vacate some tax space. Provinces, you come in and fill up that tax space and you use that money for health care." That's all fine and good. That was fair deal, until the federal Liberals started adding taxes and refilling the tax room, and it took them less than 10 years to do that. As soon as they do that, the whole tax point transfer is gone, it's out the window, and everybody who knows anything about it knows that. So why the Ontario Liberal Party continues to support the federal Liberals is beyond me. They're elected by the people of Ontario. Why won't they stick up for the people of Ontario?

Don't take my word for this. Let me read some quotes. Tom Kent was a key adviser to the federal government in the mid-1960s. In fact, he's called one of the fathers of medicare. He was asked about the tax point transfer

argument. What did he say? He said that argument by the federal Liberals is a complete "misrepresentation." A transfer, he says, "is money that the federal government provides to the provinces out of its taxes, not theirs." That's exactly the point.

1730

Let me go further. Paul Boothe from the University of Alberta, another economist, says, "It is bizarre for the federal government to claim that it is 'giving' the provinces ... this tax revenue each year. In the interests of common sense (and of making some sense of the real disagreements), future discussions ... should focus exclusively on cash transfers."

Here's another quote from Tom Courchene of Queen's University, a well-known political analyst and a great contributor to the dialogue of politics in Canada over the years. He says, "It is not obvious that much, other than confusion, is achieved by referring to the tax-point transfer under EPF as federal transfers."

Finally, Robin Boadway of Queen's University, another noted academic, says, "The decision to fold in the CHST with the EPF program and to allow the resulting transfer to be comprised partly of a tax-point transfer dating back to 1977 completely defies reason.... There is no rationale given for doing this: indeed, I would say"—I want the members opposite to hear this—"that it is the ultimate in dishonesty to do so."

This is not even a debate any more. Everyone in the country understands that the federal government has backed out of its fair share of health care. I beg the Ontario Liberals to please stop selling out to your federal cousins. Start standing up for your Ontario voters. We need your support or the federal Liberals will continue to shirk their responsibilities.

I want to continue on with the budget. There's an important part of this budget for my riding in particular. Everyone knows how important tourism is to Ontario. In fact, it's the sixth-largest export industry. It generated in 2000 approximately \$17.7 billion in revenues, including \$7.6 billion in foreign exchange. The industry accounts for some 443,000 direct, indirect and induced jobs. It represented over 9% of Ontario's employment last year. With September 11, tourism took a hit in Ontario. My colleague the member from Fort Erie—Erie-Lincoln we call his riding—the current Minister of Tourism, quickly reacted to this. He rearranged about \$4 million of spending within his own ministry—

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): With good advice from local members.

Mr Maves: He credits me for giving him advice in moving in this direction, which I thank him for, but I want to congratulate him for his leadership on the issue. He reacted very swiftly and rearranged \$4 million to put into marketing. He then worked with me and the provincial finance minister, and in the budget update, in this bill we're talking about, the Minister of Finance agreed to put \$10 million more into tourism marketing.

I can't tell you how important this is for the people of my riding. Obviously, Niagara Falls and Niagara-on-the-

Lake, which is all of my riding, are very dependent upon the tourism trade and we appreciate this immensely. We appreciate the minister's taking the time to consult with all the tourism folks in my area and reacting favourably, both the Minister of Tourism and the Minister of Finance and all of cabinet, to this initiative. I want to thank them and I want to say how much I appreciate that.

There are two other items in the budget that I really think are important. There are the children's treatment centres: \$20 million, something we also worked hard for. We really appreciate that money. Money for adults with developmental disabilities: that's what government should spend money on. It should be spending money on those in Ontario who are less fortunate, who have a great deal of difficulty in helping themselves in life. It's important we put money there.

The NDP back in 1993 invoked the social contract on children's treatment centres. They froze funding. Because of the situation they had us in when we took office, we couldn't do too much with funding until a couple of years ago, and again this year, where we've given big increases in those budgets. I think those are important and I really appreciate those.

I support the bill. I still am befuddled by the Ontario Liberals, why they take this position. On a law-and-order issue, I recall, two weeks ago they stood up to the federal Liberals, the first time I've ever seen it in six and a half years. On this health issue, I really wish they would get with it because they would really help Ontario taxpayers and Ontario citizens if they would, along with everybody else, including the NDP, across this country, push the federal government to fund their fair share of health care.

Mr Rosario Marchese (Trinity-Spadina): It's true I've got something to say, and I've got plenty of time to say it. The member from Niagara Falls usually follows me. It's good to hear him first, so we can have a fair exchange from time to time.

I have to tell those of you who are watching this channel, this very political channel—this is one of the most important sources of information; you get to hear all of us, for good or bad—this is the bill that accelerates income tax cuts for individuals and corporations. They do this with a great deal of hubris. Why not be proud of what it is that's causing a disaster? If you're going to cause a disaster, be proud of it and do more of it. Compound the problem as a way of convincing the public you're on the right course. To do any different is to suggest to the public that somehow the income tax cuts are wrong. So in order to say to the public, "We are right," compound the problem. Give more tax cuts. The province is bankrupt. They have no money, and they accelerated the income tax cuts earlier as a way of making sure they put \$200 million more out of the pockets of the provincial government, money we don't have. They know they don't have any money. The member from Niagara Falls just a few seconds ago whined about the fact—

Mr Christopherson: They're crying, repenting and crying over there.

Mr Marchese: He's weeping. It's true, David is weeping.

The member from Niagara Falls knows they have a shortage of money. That's why he whines about the fact that the Liberals provincially were defending the federal Liberal government with respect to the fact that money has not been flowing to the province in the way it should. Provincial Liberals defend it, and Tories are attacking it. We say they both have a problem. We say the federal Liberal governments have cut provincial dollars for health; this is true. But so did Mulroney before Chrétien, although Mr Bart Maves from Niagara Falls barely makes mention of it. He only talks about Chrétien and doesn't talk about the fact that Mulroney in 1990 to 1993 severely cut the support Ontario should have got—the NDP was in power at the time—that we should have got and that we deserved, given, of course, the fact that our economy was in shambles. We had a recession, and we pleaded with the federal government to give us the money that was properly ours.

But it was so funny to hear Stockwell, the Minister of Labour, today defend their ever-so-competent whining about why the federal government isn't giving them enough money. It was Mr Stockwell, the now Minister of Labour—and the critic of everything when he was on this side—who, with the ever-so-brilliant projectile eyes he has, would attack the NDP on a very consistent basis, claiming, of course, that the New Democrats didn't have a problem with financing; the problem was our spending. He, on a regular basis, reminded Bob Rae, the then Premier, that both the Mulroney Conservative government and the Chrétien government were presumably being very fair to us at the time and that we New Democrats shouldn't be whining, because we were in charge. If we just got our spending in control, everything would be OK. Well, here's the same guy, Stockwell, Minister of Labour—not just he but every other whining kid on the other side—saying, "We're not getting our fair share."

Speaker, I know you weren't here. But if you're listening to this debate, I'm sure you're crying internally, of course with irony, to hear this kind of exchange. You must be shutting your ears so as not to hear and to pretend this can't be so. But it was Stockwell today who said it, and you can't help but chuckle at it.

1740

It's terrible to hear Mr Maves from Niagara Falls defend that in the good economy we've had in the last six years you people couldn't put enough money away to deal with the rainy days that would follow, so you wouldn't have to get on your knees and plead with Chrétien to give you just \$1.2 billion more fast enough so you could probably deal with the economy and the problems the economy brings, meaning you have less money in your pockets as a government. If you had put some money aside in the last six years, when we had a good economy by and large, to the extent that you had loads of billions of dollars in your pockets—not for everybody, but certainly for some. Where did it go? Why wouldn't you save a couple of dollars for a rainy day?

Why wouldn't you do that? To now suffer the fact that you claim you are \$5 billion short, that you're going to have to cut from every ministry—\$5 billion short? Where did you put the money this good economy has so graciously given you that you're now short \$5 billion and you want to give \$2.3 billion to the corporate sector? What gives?

Every Ontarian who's watching this program is probably saying, "This is nuts." We don't have money, we've got to cut \$5 billion, but you've got \$2.3 billion to give away to corporations, because they've got deep pockets, and wealthy bankers—I always like to talk about the bankers. Bankers who earn \$1.5 million get \$120,000 back, because, you understand, they need it. They need new fridges, new stoves, new boats.

Mr Christopherson: New Mercedes.

Mr Marchese: There must be more expensive Fiats around. There are expensive Fiats, some beautiful sports cars that I'm sure Mr Eves—

Mr Christopherson: A couple of each.

Mr Marchese: A banker could buy so many cars with \$1.5 million. The government feels so bad for them that it wants to give them more back.

Mr Christopherson: We want the happiest bankers in the world.

Mr Marchese: They're smiling like this. They can't get that smile off their faces, because with that extra \$120,000 they're getting back, man, are they helping the economy grow.

And those poor folks, 50% of working people who earn less than \$30,000, what do they get? They get so little. What they get is an auditor's report that tells them—they get this, Bart Maves. Look. This is what the 50% of Ontarians who earn less than 30,000 bucks get. They get this auditor's report. And what does it tell us? It tells us that we have a food safety problem.

It tells us that the government is endangering the safety of our food, as if it wasn't enough that they endangered the lives of people and caused deaths through the contamination of water—they caused deaths. Never did we have such a problem in the NDP. Now, in a good economy, we have deaths because of contaminated water. And now we've got an auditor who's saying we're endangering our lives because we're not protecting the safety of our food: slaughterhouses not meeting health and safety rules; rusty equipment; transporting meat in non-refrigerated vehicles—all this under your gracious governance—the government failing to inspect milk producers; insufficient inspectors. They lack proper equipment to detect bacterial contamination; no standards to enforce levels of bacteria. The government cut meat inspectors from 120 to eight. You guys are nuts. You guys are so nutty.

We have no money, but you find 2.3 billion bucks to give away to corporations, people who don't need our money, and we have the safety of our food in jeopardy, which affects 11 million Ontarians. You guys have got to be nuts. Please, you Ontarians who are watching this political program, you've got to tell these people in this

government they're nuts. We've got to rein them back in, get them out of office, bring in somebody to bring back some sanity in Ontario.

Mr Dominic Agostino (Hamilton East): I'm certainly pleased to have a few minutes to join the debate on this piece of legislation. When you look at the title, it says, Responsible Choices for Growth and Fiscal Responsibility Act. It's an interesting title, because clearly there's a significant difference between what the government believes those responsible choices are and what we in the Liberal caucus, in the official opposition, believe those responsible choices are.

This is a government that decided we were going to start a race to the bottom when it came to corporate tax cuts and competitiveness with our American friends at the borders. As we have said before, we believe we need to be competitive. Being competitive roughly means being at the same level, a couple of points around that. That, I think, is what most reasonable people would say when you're being competitive: you're in the ballpark, you're in the range. This government decided that those gifts to their corporations were not enough. So as part of this responsible choice, they decided they were going to be competitive by being 25% lower than the bordering states—not 2% to 3% lower, not 5%; 25% lower. That is their definition of being competitive. That decision cost the taxpayers of Ontario, in revenue—or you can flip it the other way—\$2.2 billion that could have been put into services that Ontarians rely on government to provide, like health care, like education, like clean air, clean water. It is a matter of choices. It is a matter of what is a responsible choice.

So not only do they announce the corporate tax cut; then, as a result of the September 11 situation, they decide, "We're going to speed those things up even faster," not understanding that there's going to be an economic slowdown, not understanding that, as you look around, things have changed and the world has changed dramatically. They decide the way you solve the problem is you just speed up the tax cuts to your corporate friends.

So we have a situation now where in this legislation the tax cuts, which, again, we believe don't need to be 25% below the Americans—if you start that race to the bottom, what happens when our bordering states then decide, "Well, we can't be 25% below Ontario, so we're going to lower our corporate tax rate even further"? So Michigan will lower their corporate tax rate further; New York state will lower theirs further; Pennsylvania will lower theirs further. Do we then follow that? How much further are we going to go? How much further down that race to the bottom, when it comes to corporate tax cuts, are we willing to risk and gamble with at the expense of hard-core, necessary services we provide to our constituents?

Yes, there is a fundamental difference. We believe that the \$2.2 billion would be better served being put into other services. This government for the last five years, but particularly the last two or three weeks, has done nothing but whine and complain and cry and whine and

complain and cry some more about the federal government. They're looking for more money so they can sink more money into corporate tax cuts, so they can speed up the tax cuts even further.

The reality is that this government today—just today—blew \$1 million on advertising to try to fight against the federal government and the corporate tax cut; \$1 million out the window in ads that could have gone to the front line of health care, that could have opened up more beds, that could have hired more nurses or could have hired teachers for the classrooms or bought textbooks or bought computers. This government thought, again, choices—the choice was to pump \$1 million today into an ad attacking the federal government.

I look at my own community and I look at the issues that I've raised in the last few months in here and, again, it's a question of choices. This is a government that can't fund additional beds at the burn unit at the Hamilton General Hospital, a world-class facility. That facility has 10 beds right now and is at capacity literally year-round. They've asked for 10 to 12 additional beds because they serve a catchment area of 2.2 million people.

Again, you talk about choices. This government has the ability to pump \$2.2 billion into corporate tax cuts, but can't fund 12 additional beds for individuals who are victims of burns and who need that treatment at the Hamilton General Hospital. I know what my choice would be. My choice would be to pump that money into those beds at the burn unit at the Hamilton General Hospital, not into corporate tax cuts.

I've raised the issue of palliative care. We've got a situation in Hamilton with St Peter's Hospital. Again, an unbelievably effective, first-class facility has said to this government, "We need more money for palliative care." These are individuals who are in the last few days of their lives, who need to be in a situation where they can die with dignity, with respect, with some care around them, because they can't be taken care of at home. They've asked for this.

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They asked in February for \$700,000 to open up 19 new beds. The government has not yet answered. So again, if I had that choice and the Liberal caucus had that choice, would we put \$2.2 billion into corporate tax cuts, or would we open up 19 new palliative care beds at St Peter's hospital in Hamilton? It's pretty clear to most Ontarians that the priority should be to open up these beds at St Peter's and not put \$2.2 billion into corporate tax cuts.

It goes on and on. We have a situation in my own community right now that a number of schools in the city of Hamilton are in such bad shape because of the lack of funding and the fact that this government has cut capital funding to schools significantly that when it rains in certain schools, teachers have to move the desks so the kids don't get wet. That's today in Ontario under the Mike Harris government. The Hamilton board has asked for \$17 million in emergency funding to fix those roofs and boilers to make sure that in the winter there's heat

and if it rains or snows those kids are not getting wet in the classroom.

Again, it's a matter of choice. Would I choose to put \$2.2 billion into corporate tax cuts, or would I spend \$17 million to make sure that the roofs in our schools in Hamilton are fixed and the boilers are working for the winter months? It's a pretty clear choice. That money should go into the schools, not into the corporate tax cuts.

We have, in Hamilton again, a first-class neonatal unit at McMaster medical centre in Hamilton, but they don't have an intensive care unit. There isn't a dedicated intensive care unit for the neonatal unit at McMaster hospital. We had a situation a couple of months ago, on October 11. A two-year-old girl from Brampton was critically ill. She was turned away from Sick Kids in Toronto. They could not find a bed to put her in the intensive care unit at McMaster in Hamilton. She had to be driven two hours to London. That is the situation today in Hamilton. That is the situation across Ontario.

Again, what they've asked for is 12 to 14 dedicated beds that would be left as intensive care beds to serve the neonatal unit at McMaster. Remember, this is the government that shut down many of those services for kids in London, so many of those kids are taken to Hamilton, but we don't have the intensive care beds in the neonatal unit.

Again, talk about choices. Would I choose to give \$2.2 billion in tax cuts to corporations, or would I put that money into opening up 12 or 14 beds in McMaster when it comes to looking after kids in intensive care? The choice is pretty clear. The priority should be those hospital beds for those kids who are critically ill.

I spoke about kids who suffer from autism in this province. We have kids who have to wait six months, eight months, a year for service. You announced a program, but you limit it to kids who are over five. So anybody under five no longer gets services. We have waiting lists across the board. Parents in Hamilton have launched a \$75-million lawsuit against the government because it has not provided service to those kids who need those services.

Again, it's a question of choices. Would you choose a \$2.2-billion tax cut for corporations, or pump that money into services for those kids who need it?

I have outlined a number of examples that go right across the province. I talk about my own community of Hamilton, but certainly these same examples, these same choices have to be made day after day in every community in Ontario. This is again where I guess we differ in this House. I'm proud to say we differ. I would be happy to take the case to the people of Ontario to determine which choices Ontarians would make; to determine what the people of Ontario would decide is more important: to agree with the Mike Harris government and put \$2.2 billion into corporate tax cuts to make our rates 25% lower than the Americans, or would the people of Ontario choose to make sure that their schools were working properly, that those schools weren't leaking and that those boilers were working and that there were smaller classrooms, more computers and more textbooks?

I would be happy to take that case to the people of Ontario and give them the option; give them the option of a \$2.2-billion tax cut or putting that money into education. I'd be happy to take the case to the people of Ontario and say, "Would you make a choice?" Ask the people of Ontario, "Would you put the \$2.2 billion into a corporate tax cut, or would you make sure that when your kid is sick in the middle of the night and you take them to the emergency room, it's there, it's open and someone will be there to look after that child? Or if your father or husband or wife is dying, that there's a bed available in a palliative care unit across Ontario? Let's give people those choices. Those are the kinds of choices Ontarians need to make. We'll make the case and we'll continue to make the case.

We're not here to fight with the federal government; we're here to make sure that Ontarians hold the government accountable, that it has its priorities all mixed up. This government doesn't understand what is important to Ontarians. And yes, do you know what? Those banks, their corporate friends, the people who go to their dinners, the big banks of this province, will benefit tremendously by the corporate tax cut that is 25%. But that is based on previous profits. How does that help the economy today or tomorrow? It doesn't.

The reality is that this is a one-trick pony. This government understands nothing else. They don't understand

the new reality after September 11. They don't understand that Ontarians are refocusing on what is important to us, and hard-core front-line services are the priorities of most Ontarians. They are not the priority of this government. They continue to be obsessed with tax cuts at all costs, and there's a significant cost that comes with that. This corporate tax cut is a glaring example of a government that's out of touch, a government that doesn't understand Ontarians, a government that doesn't understand the priorities and a government that frankly is on its way out.

The Acting Speaker: Mr O'Toole has moved third reading of Bill 127. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

Pursuant to standing order 28(h), Gary Stewart has requested that Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government, be deferred until December 5, 2001. So be it.

It being almost 6 o'clock, this House stands adjourned until 6:45.

The House adjourned at 1757.

Evening meeting reported in volume B.

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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 4 December 2001

Mardi 4 décembre 2001



Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 décembre 2001

The House met at 1845.

ORDERS OF THE DAY

FOOD SAFETY AND QUALITY ACT, 2001

LOI DE 2001 SUR LA QUALITÉ ET LA SALUBRITÉ DES ALIMENTS

Mr Coburn moved third reading of the following bill:

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

The Acting Speaker (Mr Bert Johnson): We will start with the debate. We will go in rotation. The Chair recognizes the Minister of Agriculture, Food and Rural Affairs.

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): It's my pleasure this evening to introduce for third reading Bill 87, the proposed Food Safety and Quality Act.

In addition to my ministry's lead role, both the Ministry of Health and Long-Term Care and the Ministry of Natural Resources have played integral roles in the development of this bill. We are indeed proud of this giant step forward that will help ensure that the people of Ontario continue to enjoy a safe food supply based on an economically viable agri-food industry.

Ontario's food is safe, and this act will continue to improve its safety and quality, securing Ontario's world-wide reputation as a supplier of safe, quality food products. This first-class reputation is partly due to the diligence of our agri-food industries, which constantly strive to maintain an exceptional level of quality. It's also partly due to the hard work that goes on continuously between the government and the industry.

But as we all know, times have changed in the world of food safety. Our eating habits have changed over the years. We eat more foods from around the world. There have been more food-borne illnesses identified. Science and technology have developed in leaps and bounds, with quicker, more effective ways of both identifying and managing food-borne hazards.

In recent years, governments around the world have been taking a critical look at how both the public and private sectors can ensure the continued safety of the

food supply. Our food safety system review, which was launched in 1999, showed us that to do this in Ontario, we needed to take advantage of new science and technology and to modernize our food safety systems.

All players along the food supply chain have responsibility for the safety of food by ensuring industry practices and facilities do not contaminate the food we eat. Because of this, the proposed legislation recognizes all players in this chain: those who grow, store, cook, can, bag, transport and sell. The proposed legislation provides the powers to set standards and deal with identified food safety risks from the farm through to food distribution.

Bill 87 is broad enabling legislation that will form the backbone of a modern risk-based food safety system for the people of Ontario. It consolidates the food safety and quality requirements of six existing food-related acts: the Meat Inspection Act, the Farm Products Grades and Sales Act, the Dead Animal Disposal Act, the Livestock and Livestock Products Act, the Fish Inspection Act and the Edible Oil Products Act. Consolidation of these existing acts will streamline food safety legislation in Ontario. It will allow for more effective response to food safety risks, as well as improved capabilities for addressing new food safety risks and new science and technology as they develop.

1850

At the Ministry of Agriculture, Food and Rural Affairs, it is our responsibility to work with the agri-food industry to enhance its ability to produce safe food. We must also ensure consumer confidence in the food safety systems. To this end, as I indicated earlier, we have worked closely with the Ministry of Health and Long-Term Care during the development of this bill and they will maintain the highest authority on public health issues. The proposed act requires that all food safety risks be reported to a medical officer of health. In addition, our partnerships with the Ministry of Health and Long-Term Care and the Ministry of Natural Resources establish important, built-in checks and balances for Ontario's food safety system.

The introduction of this legislation is just one part of the food safety system review. As you know, the Provincial Auditor released a report last week that addressed some issues in this system. We welcome this review of our programs, and I am pleased to say that even before the audit was conducted, and since it was completed in early 2001, we were already establishing several new programs to improve the safety of Ontario's food supply.

For example, in 1999 we took advantage of new technology and began using a computerized information

system for our meat and livestock inspection. This state-of-the-art system has allowed for massive amounts of data from audits, lab testing and inspection reports to be more readily accessible for risk management purposes.

On the horticultural side, last year we conducted a province-wide survey of apple juice and cider producers. As a result of that survey, microbiological testing and educational programs are now in place, and standards for apple juice and cider are being developed in consultation with the industry to further ensure the safety and quality of these products.

In 1999 we established the healthy futures for Ontario agriculture program. Among other things, this successful program provides funding for the agri-food industry to enhance the safety and quality of Ontario food products. As part of the healthy futures program, funding and access to technical expertise are available to help our agri-food sector maintain and expand its capacity to meet domestic and export market demands with regard to food safety and quality.

We are also an active participant in the Canadian Partnership for Consumer Food Safety Education, working diligently to educate consumers about their role in food safety.

There are many initiatives addressed in Bill 87 that go beyond what is addressed in the auditor's report. For example, Bill 87 makes provision for more targeted requirements for food products to minimize public health risks from food-borne hazards. It includes quality standards to promote the marketing of Ontario products. There are more appropriate enforcement actions to ensure compliance, and new authority to ensure a timely and effective response to a food safety crisis, including the ability to trace back to find the source of a contaminated food, and to trace forward to determine where it has been distributed.

Any legislation is only as good as its enforcement. Currently the compliance and enforcement tools vary with each piece of legislation. A single Food Safety and Quality Act will provide a common set of tools necessary for establishing, implementing and enforcing a comprehensive, efficient and effective food safety program. Most importantly, the enforcement tools provided in Bill 87 will serve to protect the public in situations where foods or animals or plants that may be used in food appear to present food safety risks.

What constitutes a food safety risk is clearly defined in Bill 87, and applies to foods under very specific circumstances. Where there are grounds to believe a food safety risk constitutes a significant risk to public health and safety, inspectors could be authorized to trace the food safety risk wherever it occurred in the food chain. Inspectors would have the power to issue orders to prevent, control and eliminate that risk.

Current limitations on OMAFRA's authority to share information with other authorities may slow down the response to situations that present a serious food safety risk. In order to protect the health and safety of the people of Ontario, the proposed legislation requires that

the minister share relevant information about a significant food safety risk with specific government authorities when it is necessary to protect public health and safety.

While we were developing the proposed legislation, and as noted in the auditor's report, it was agreed that current penalties were not adequate. We heard that they needed to be increased to deter potential offenders and minimize public health risks due to food safety issues. Bill 87 would raise maximum fines to \$25,000 for an individual's first offence, and \$50,000 for subsequent offences. We feel these fines will help to increase compliance with regulations under the legislation.

Bill 87 is consistent with national developments in food safety. Earlier this year, Canada's federal, provincial and territorial ministers of agriculture met to discuss, among other things, food safety. We agreed in principle on a national action plan to make Canada a world leader in food safety. I was proud to be able to say that Ontario had already taken steps to ensure this in our province with the introduction of Bill 87. We agreed on a collective vision for the Canadian agri-food industry: it must be strong, modern and ensure access to international markets. And consumers must have complete confidence in the safety and quality of our food products. Again, I was able to say that Ontario is leading the way.

Many competing jurisdictions, including the United Kingdom, Belgium, Australia and the United States have already adopted science-based approaches to food safety that are founded on risk analysis. Within Canada, national standards are being developed to ensure consistency across the country as we expand our own food safety systems.

Since we first consulted stakeholders on the concept of consolidated food safety legislation, we have spent a great deal of time listening to their ideas and incorporating them into the proposed act.

Among others, we heard from commodity groups, food processors, general farm organizations, public health workers, government ministries and consumer education representatives. We heard that the act and its regulations should be scientifically based. Science continues to develop at an incredibly fast pace, and our stakeholders agree that we need to use new information and technologies available to us to increase the safety of our food supply. Our stakeholders also acknowledge that modern, science-based food safety requirements can indeed have economic benefits for them, such as reduced farm inputs, increased production and expanded market access.

In addition, regulations developed under the bill would be based on baseline studies and risk assessments to be conducted to determine where food safety risks enter the food continuum. Through risk management programs, food safety risks can be identified more quickly and managed more efficiently. Bill 87 provides the framework for this system.

We heard from our stakeholders that the act should support existing industry-led food safety programs and should harmonize with national standards for food safety. We agree, and Bill 87 reflects this.

From our standpoint, harmonization and support of existing programs is critical, not only to ensure safe food for the people in Ontario but also to open new markets for Ontario producers and processors. A consolidated, modern food safety act would support the overall competitiveness of Ontario's agri-food industry and would allow it to maintain and increase market share as Ontario continues to establish its reputation as a leader in food safety.

Food safety, from field to fork, is a high priority for the Ontario government, and our concerted effort to keep Ontario's food safety system among the best in the world is evidence of that commitment. Bill 87 will help ensure Ontario remains at the forefront of food safety and quality, with modern, effective legislation governing the agri-food system.

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The Acting Speaker: Further debate? The Chair recognizes the member for Northumberland.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: I understood from the Speaker that the speaking was going to be in rotation, from you, sir, when you—

The Acting Speaker: You understood correctly. I looked to my left and nobody was standing so I came around here. In rotation, that's called clockwise. I don't care who it is as long as somebody does it.

The Chair recognizes the member for Elgin-Middlesex-London.

Mr Steve Peters (Elgin-Middlesex-London): It's important to stand up this evening and, first and foremost, go on the record to show Ontarians what the record of this government is when it comes to food safety. I think we were all very shocked by what we read in the auditor's report and saw what it contained when it came to food safety. It's very evident that this legislation in front of us tonight is in many ways a knee-jerk reaction to what has come out of that auditor's report. There's no doubt that the Ministry of Agriculture, Food and Rural Affairs was privy to what was coming from the auditor's report and that this is a reaction to it.

I want to go on the record, right off the bat, to say that the Liberals are not going to support this legislation this evening. One of the things that is of extreme concern to us is the funding cuts to food inspection we have witnessed in this province, where we've seen the food inspection budget cut by 45% and the number of food inspectors cut by 35%.

Now what we're going to do is enforce and bring forward a new piece of legislation that is going to require more food inspectors, but what disturbs me is there's no guarantee in this legislation that these food inspectors are going to be provincial government employees.

One of the things we advocated in the legislation, that we wanted amended and changed, was the removal of alternative delivery of services. But no, the government in its wisdom—I say that with no seriousness—chose to continue on this course of privatization. We've seen the Walkertonization of this province. We've seen the effects

of privatization of government delivery of services, the lack of accountability from the private sector and the need to have true government employees providing these services. We've seen what's happened when we look at the whole question of meat inspection in this province, part of this food safety legislation, where we've gone from 130 government meat inspectors to eight.

I know we'll hear the minister argue, "We've got another 130 people doing meat inspection," but those are contract employees. Those aren't people who have that commitment to the public service of this province. These are individuals who are contract employees. Do you know what we're hearing from some of these individuals? That it's not a job they enjoy doing as contract employees, and they're having a difficult time retaining these individuals.

What bothers me about what we're seeing with this food safety legislation that's in front of us this evening is that it fits into this government agenda that they have brought forward since 1995, and that's this blind drive to save money, a drive to save money with blinders on, without looking at the effect of the privatization of government services. We've seen that countless times, over and over again, and we've seen it recently in the auditor's report, this backwards initiative of not having true government employees and true public servants who are dedicated to the job. No, we've got to contract out services.

You know what's happened as a result of this? I'm going to speak only to agriculture right now. What you've done with this blind drive is compromised this industry, the number two industry in this province. The lack of recognition that you as a government place on this number two industry bothers me no end. We've heard the Minister of Economic Development and Trade talk about all the wonderful things in this province, but you know what he always forgets to talk about? The number two industry in this province. He forgets to talk about agriculture.

We hear the finance minister deliver a statement in this Legislature. Do you know what we don't hear? Do you know what this government forgets to mention? It's the word "agriculture" and the word "farm."

We've seen the lack of commitment from this government to agriculture. What the government should be doing is promoting the industry. Instead of working in silos—and there's no pun intended as we're dealing with an agricultural bill here, but one of the things I've noticed over and over again with this government is how government ministries work in silos. Why isn't the Ministry of Agriculture, Food and Rural Affairs working with the Ministry of Economic Development and Trade to promote this industry? But, no, we've got two different agendas in this province. You should be working to promote this industry, to instill confidence in this industry.

I can tell you, though, the auditor's report doesn't help this industry, it doesn't promote this industry and it doesn't instill confidence in this industry. And the blame

lies with the Minister of Agriculture, the Premier of this province and every one of you on the government side, because you've all allowed this to happen. Every one of you has sat back quietly as we watched the Premier come out in 1995 and say, "No cuts to agriculture." Well, what happens in July 1995? Some \$14 million is slashed out of the budget of agriculture, and we've seen those cuts continue to this day.

We know as we speak right now that the government's foolish recklessness with tax cuts in this province and the continuance of these tax cuts, with another \$2.2 billion in tax cuts coming down the pipes, is causing every government ministry on the other side to have to find further cuts within their budgets. Another 5%, minimum, is going to have to come out of this minister's budget. We should be doing everything we can to promote the agricultural industry in this province, to promote that we've got the best food in this province, the best food in Canada and the best food in the world. We've got the capability as a province to be self-sufficient when it comes to food. There may be a few exceptions, but for the most part, we can feed the people of Ontario and we can be the best in the world. But this government has let people down and they've let the agricultural community down when it comes to being the best in the world.

We've got the legislation that's in front of us tonight dealing with food safety. It's a commendable initiative, but the problem, again—and we see it over and over; we'll be debating another piece of legislation this evening—is the fact that the devil is in the details of the regulations and we don't have the regulations in front of us. It's the same with Bill 81, the Nutrient Management Act, which will be debated in this Legislature later this evening. We don't have those regulations.

1910

Mr Bill Murdoch (Bruce-Grey-Owen Sound): Are you going to support it or not?

Mr Peters: No, we're not going to support it, Mr Murdoch. We won't be supporting it. I think I opened up with that comment, that we won't be supporting this legislation. Again, we're seeing the lack of regulations coming forward and the lack of financial resources being put forward for this legislation.

I want to come to one particular aspect of this legislation that really amazes me. If the Minister of Agriculture wanted to choose a fight and pit agricultural commodities in this province against each other, he did it with this legislation, because when you look at section 44, it deals with the repeal of the Edible Oil Products Act. We, as Liberals, believe that when a consumer—and it's the consumer who supports this industry; it's the consumer who keeps this industry viable. We want the consumers to be assured, when they walk into a grocery store, that the contents of the dairy case are truly dairy products. You know what? That's about to change once this legislation is passed.

We asked at the committee level to have section 44 of the legislation removed, but the Conservative members at that committee chose to push the legislation through as it

stood. They chose to leave section 44 of this legislation in place. We've got representatives of the dairy industry in this province here tonight. I hope the minister has had an opportunity to read Hansard and has had an opportunity to listen to some of the representatives who were there that very day. We heard over and over again from the Dairy Farmers of Ontario, from dairy farmers' organizations from county after county across this province, of the devastating effect that the repeal of the Edible Oil Products Act is going to have on their industry. I asked the minister to take heed of those warnings, because they are very valid warnings that should be listened to. But it's obvious that the minister didn't listen, that the members of the committee didn't listen and that his staff didn't listen. This government is bound and determined to pass this legislation with the repeal of the edible oils act. I think that's a sad day for agriculture in this province.

Let's look at it. It truly was a debacle at the committee level. The honourable member for Niagara Centre called a recess at that meeting. We adjourned for 20 minutes and there were representatives from the Dairy Farmers of Ontario who tried to plead their case with the government members, but that case fell on deaf ears.

I've got some real concerns. I've been hearing some things today where this government has made some comments to representatives of the Dairy Farmers of Ontario that they are going to deal with this in the future. Well, let's deal with it right now. Let's stand up tonight and take section 44, the repealing of the edible oils act, out of the legislation this evening. Let's deal with it right now and not sometime in the future, and instill some confidence in these representatives who are here from the Dairy Farmers of Ontario. Let's let them know we support the dairy industry in this province.

The industry saw a great wind just today or yesterday at the World Trade Organization. We all stand behind the supply-managed sectors in this province, but what's happening is that we're seeing a gradual erosion. We're seeing this repeal of the edible oils act and seeing the dairy farmers with the potential to lose a great deal of their industry.

We're seeing a further erosion of the supply-managed sector in this province by this Ministry of Agriculture allowing Imperial Tobacco to stand up and challenge the marketing boards of this province, because if you allow Imperial Tobacco to do what they are doing in this province, you're just planting the seed, Minister, for the end of the marketing boards. I ask you to stand up against Imperial Tobacco. I don't know how much money they gave you—I can tell you they didn't give me a cent—and I don't know how much money they gave your government, but stand up to Imperial Tobacco and stand behind the supply-managed sector in this province, as I'm asking you today to stand behind the dairy farmers of this province.

We gave the government an opportunity at the committee, "Let's deal with section 44. Let's pull 44 off the table right now." I think if we'd pulled 44 off the table, we probably would have been a long way toward seeing

much more unanimous support for this legislation. But no, the government has chosen to go forward and divide the agricultural community. At a time when we're seeing the agricultural community in this province divided is not the time to do it.

We know that our agricultural community is faced with some of the worst weather they've ever faced in their lives. They're faced with subsidies from our American counterparts. They're faced with subsidies from the European Union. Worse yet, they're faced with subsidies from other provinces in Canada, because other provinces, like Quebec and Alberta, have recognized that they have to go beyond their 40% share of support for the agricultural community and not just stick with the 40-60 split. They need to go further. Other provinces have recognized it.

If it hadn't been for the support of the tobacco industry last year, with \$20 million, this province was only doing its 40% share. Because of that \$20 million that you gave to the tobacco sector—and I thank you for doing that—that puts you above that 40% ratio.

We need to look at where the dairy industry is concentrated in this country. Some 80% of the production of milk and dairy products is between the provinces of Ontario and Quebec. Some 80% of what is consumed by the consumers, the very people that we want to instill confidence in, the very people that we want to buy their product, the very people that we want to support the industry, 80% of that consumption is between Quebec and Ontario. This is the consumer market that we need to stand behind and support.

What we've seen—and we're seeing Ontario move away from this—is the long-standing commitment that Quebec has made to its agricultural sector. For years and years, the province of Quebec, and rightfully so, has recognized the importance of the agricultural community and has recognized the importance of agriculture to that economy. The province of Quebec is standing behind their dairy farmers. Is the province of Ontario standing behind the dairy farmers tonight? Can you honestly, any one of you, stand up and say that you're all standing behind the dairy farmers of this province? The answer is no, you're not. You've abandoned the dairy farmers. With the repeal of section 44 in this legislation, with the repeal of the Edible Oil Products Act, you're abandoning the dairy farmers of this province. Quebec is refusing to repeal, Quebec is standing behind their dairy industry, but not Ontario.

I'd ask any one of you on the other side there who represents a rural riding this evening to contact your local dairy farmers' organization and find out what they think of this legislation that's in front of us tonight. I'm sure you're going to hear loud and clear: they're going to express their concern over the repeal of the Edible Oil Products Act.

Mr Murdoch: What about the abattoirs?

Mr Peters: You want to get into abattoirs? We can in a bit, and into food safety. I've already talked a bit about the abattoirs and how you've abandoned food inspection

when it comes to inspectors, but we'll come back to that again.

What this province is doing is totally ludicrous, because they're cracking open this market, and they're opening up this market to the detriment of the dairy farmers of this province. I would love to hear—it's unfortunate, well, I can't make reference to that. I would love to hear the comments of the former Minister of Agriculture, who represents Oxford and the dairy capital of Canada. I'd love to know what the former Minister of Agriculture thinks of this initiative. I very much doubt he's going to support it.

It's going to be interesting to see the vote, to see who are the puppets on the other side who are going to stand up and be puppetized by the centre, and stand up and vote against their dairy farmers.

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Mr Murdoch: What about the soybean growers?

Mr Peters: The honourable member for Bruce-Grey-Owen Sound talks about the soybean sector. I think there are a lot of opportunities, because we know what's going to happen. You probably got that same 20-page fax that we all received last night. It all came into our fax machines at 3 o'clock this morning.

You know what's going to happen in this province? It's not the soybean sector that's going to receive the benefits of this. It's going to be the offshore. It's going to be the palm oils and coconut oils, the hydrogenated oils that come into this province. We don't grow palms or coconuts in this province. Why don't we see the Minister of Agriculture work with the Minister of Energy, who's here this evening, and the Minister of the Environment, and stand behind the alternative fuels committee? If you want to look at ways to add value to commodities produced in this province, let's do something that's really positive and that's going to truly benefit the soybean growers of this province. Let's seriously look at alternative fuels and not allow big corporations to come in and—

Interjections.

The Acting Speaker: Order. Only one person has the floor. If anybody else would like it, give me a chance to recognize you. Other than that, I'll recognize you. There's no talking back and forth. There's nothing in the rules that allows us to carry on conversations that way.

The Chair recognizes the member for Elgin-Middlesex-London.

Mr Peters: Thanks very much, Speaker. Sometimes the—

Interjections.

The Acting Speaker: Order. If you'd like to stay here, be quiet. The same for the minister.

The Chair recognizes the member for Elgin-Middlesex-London.

Mr Peters: Thank you very much, Speaker. I respect your comments about the cross-fraternization of comments in front of us tonight in the Legislature. But sometimes it's good because you hear some good things. Sometimes there are actually some intelligent things that

come out of government members—not too often, but once in a while you do hear them.

I remember making these comments when this legislation was first introduced. I guess it's going to be a rah-rah day in this province and it's going to be spray cheese for all, that wonderful product that doesn't contain any dairy products but it's called cheese, spray cheese—comes in a can. You put it on your crackers, put it on your toast. That's what this government wants to promote and misrepresent to the consumers in this province with a product like that.

Mr Murdoch: That's a federal problem.

Mr Peters: Again, you see, sometimes intelligent stuff does come out of people. There are federal issues here. Believe me, I'm prepared to stand up to the federal government. You accuse us regularly of being in bed with our federal cousins. I call them more like distant relatives. The federal government has a role to play in this and they're not enforcing it. Any one of you can walk into a grocery store today and look at the products in the dairy case that shouldn't be there. Walk down the aisle and look at that "buttery" popcorn that shouldn't be there. I agree there is a federal role to play, and we'll do our part to take that up. I'd be very happy to work with the minister to take on the federal government, because every once in a while I think it's good to do that. You may not believe we do that in opposition, but from an agricultural standpoint—I can't speak for others—I'm certainly prepared to do that.

It really does disturb me that we're moving in this direction with this legislation. I've talked about the Edible Oil Products Act, but I think the other thing that really needs to be of concern here is this alternative delivery of services, because we can't continue to erode the public sector in this province. The minister stands up over and over again, talking about the best food and instilling confidence in our consumers in this province. It's pretty tough to instill confidence in the consumers of this province when they know they don't have a full-time commitment to food inspection, that they don't have full-time individuals looking after our abattoirs, looking after all aspects of food inspection in this province.

This government is bent and determined to allow the private sector to do it. I think that is very risky. It's a move that is, in my opinion, irresponsible. We as legislators should be doing everything we can to support the agricultural community in this province. But no, we're not doing that.

We've seen what happened with privatization of services. We've seen the contracting out of services to private labs, and we've seen what happened with that with Walkerton. But you know, worse yet out of Walkerton, as tragic—and my heart goes out to those families and those individuals who have been faced with the worst nightmare that anybody could ever experience. But I think the other tragedy that comes out of Walkerton, and it comes back to food safety and to inspection, is how the agricultural community has been unfairly blamed for what's happened. Because every one of us in this

Legislature tonight, every one of us, has a collective responsibility for the water and looking after the water and the resources of this province.

Agriculture has taken an unfair hit as a result of the actions of this government. You can stand up and say you want to instill confidence in the agricultural community in this province, but you've allowed the agricultural community to be the scapegoat for what's happened in Walkerton. We know, as I say, there is a collective responsibility, because you can go to virtually any municipality across this province right now and you can find a pollution control plant that's bypassing into the creek. You can go to northern Ontario, to the Parry Sound-Muskoka riding or even to the Premier's riding in Nipissing, and you can find cottages and camps that have faulty septic systems that are leaking right into the waterways. But this government allowed the agricultural community to take the fall and the agricultural community to take the blame for what's happened in Walkerton—

Interjection.

The Acting Speaker: The member for Bruce-Grey-Owen Sound, come to order.

Mr Peters: —and you can't do that. And what you set up in Walkerton, you're setting up with this legislation here, because again you're bent and determined to contract out the enforcement of this legislation to the private sector.

You don't have the guts to do it yourself. If you want to instill confidence in the consumers of this province, you instill that confidence with OMAFRA employees; you don't instill that confidence with ABC Consulting Corp. You don't do it.

I wish we could stand up and support this legislation, because I think every one of us wants to see safe food in this province. There's no doubt about it. But we want to make sure, if we're going to have safe food in this province, that we know we've got the right employees behind us, and I don't have confidence in the private sector to do it. I have confidence in OMAFRA employees to do that.

We talk about the food safety that's in front of us here. I opened up my comments this evening talking about how Mike Harris and these Conservative members stood up in 1995 and said, "No cuts to agriculture." We've seen that budget for food safety go from \$12.5 million to \$7 million, and we've seen the tremendous cuts in inspectors.

Look too at the track record of this government. I'm so proud of the auditor for standing up and pointing out the track record of this government, because when you look at the three-year period between 1996 and 1999, there were only 18 individuals or corporations convicted of breaking food safety laws. If you're going to instill confidence, the public wants to know that there are inspectors out there, but you can't instill that confidence like this.

We've seen over and over again the media stories how this government has been lax, has let down the consumers of this province, has let down the farmers of this province by the number of illegal slaughterhouses and

uninspected and unhealthy meat processors in this province.

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We've seen it in another area—and I challenge the minister to do it. I don't know whether he has ever gone—I certainly hope he has—to the University of Guelph. Go and tour the animal health lab, which is charged with the responsibility of playing such an important role in food safety. Talk to the individuals at the animal health lab about some of the cuts they've experienced as a result of the government cutbacks and how the University of Guelph agreement has been cut back and cut back. As you read the Ontario Farmer Daily, the University of Guelph talks about how they're going to deal with further cuts and how this government can allow the University of Guelph and the animal health lab to buy used equipment. Why not invest the capital dollars? But, no, we'll force them to buy used equipment. We'll force them to make do with what they've got.

You know, it doesn't just hurt the University of Guelph; it hurts the people of this province. This government has done it over and over again, and I think it's very sad. What's it all leading to? It's leading to this government's response that the farmers have to rely on the farm organizations and the private sector to look after food inspection. I think that's extremely irresponsible of this government, extremely irresponsible of the Minister of Agriculture, because government does have a role to play in food safety. Government has a role to play in the number two industry in this province. Government isn't playing a role in this.

If you want to deal with section 44 tonight and the repeal of the edible oils act, I'll gladly seek unanimous consent. Let's get rid of section 44.

The Acting Speaker: The member's time has expired. Further debate?

Mr Peter Kormos (Niagara Centre): As you know, we've only got 30 minutes per caucus to discuss this bill because of the time allocation motion. The government didn't want to hear debate around—

Interjection.

Mr Kormos: Well, the government didn't want to hear debate around the bill, so the government imposed time allocation, which restricts opposition caucuses to about 30 minutes to deal with a piece of legislation that's going to have some significant impact on a whole lot of very hard-working women and men here in the province of Ontario.

Look, I live in an urban part of Niagara region, no two ways about it, but I was more than proud to hear from our Niagara North dairy farmers when they appeared at this committee. Indeed, I was very fortunate because I joined the committee at one of the critical points in terms of the submissions that were being made. I joined the committee, substituting for Howard Hampton, who is our critic in rural and agricultural affairs, at the point when dairy farmers began their debate around section 44 of this bill.

When they were engaged in that debate by the advocates of the repeal of section 44, I recall that one of the

presenters, a strong advocate in support of section 44 and a strong advocate for the repeal of the Edible Oil Products Act was Lever Brothers Inc—I think they just call themselves Lever corporation. I got an opportunity to see how massive and huge that company is. They not only manufacture food products, they manufacture laundry soap, oil products, everything from soup to nuts, well beyond the scope of edible products, never mind edible oil products, and they were adamant that the Edible Oil Products Act has to be repealed. That was in juxtaposition and contrast to the submissions made by dairy farmers.

I found the submissions made by dairy farmers in support of the maintenance of the Edible Oil Products Act to be just incredibly persuasive, incredibly straightforward and incredibly legitimate, both from the point of view of maintaining and supporting a historic and valuable part of our agricultural industry here in the province of Ontario, and I'm talking about dairy farmers and cattlemen—they call themselves “cattlemen” but I suppose it's cattle men and women. As well, I was impressed by nutritionists who came forward who pointed out, along with others, what edible oil products we really are eating and exploded the myth that somehow the expansion of the edible oil products industry was going to be some sort of a great boon for Ontario soybean farmers. At the end of the day, as was explained to the members of that committee, it's the palm oils and the coconut oils, the imported, very cheap products that are among the more dangerous oils in terms of people consuming them, with their lack of nutritional impact, indeed the health impact of overconsumption of these types of oils. I want to make it quite clear that but for section 44, New Democrats would be supporting this bill; we'd be supporting it in a New York minute.

I was incredibly disappointed in committee. I forced a recorded vote around, do we approve section 44? I wanted to be on the record, along with the opposition party, who clearly took the opportunity to record, and the New Democrats recorded themselves as clearly opposed to section 44. But the government, of course, with its majority, overwhelmed the opposition members and section 44 remains in the bill.

What was interesting was that dairy farmers said, “Look, let the Edible Oil Products Act survive, and indeed, if it has to be addressed from the point of view of doing some accommodation of the edible oil products industry, we can sit down and talk about the Edible Oil Products Act as it stands in and of itself, but don't repeal it.” I couldn't for the life of me understand why the government wouldn't adopt that same logic. That's what dairy farmers were saying: “There may well be stuff to debate”—if I'm wrong, indicate—“around the Edible Oil Products Act. It may well be demonstrated that there needs to be some adjustment to, if need be, enhance the role of the edible oil products industry, but don't repeal the act.”

One of their strong arguments is they had some incredibly persuasive evidence in terms of the types of

packaging people are being confronted with. We saw—I don't know which popcorn it was—the package of microwave popcorn with the big slash across “butter” on the front, and in fact when you look at the fine print there is not a dairy product in it, least of all butter, and once again the types of oils that are being consumed are not soybean. It wasn't soybean oil in that product, as I recall it. It's the sort of stuff that we're hard-pressed to find grown here in Ontario. It was palm oils and coconut oils, the most dangerous oils from a nutrition and health point of view.

We saw a collection of other packaging where, notwithstanding the so-called federal rules, there was an incredibly high level of, quite frankly, consumer fraud being perpetrated, consumers being misled in the most deceitful of ways about the contents of those packages, the contents of the food, especially in the fast-food type of industry. I was impressed with that. That was hard evidence that made the case for the dairy farmers very, very persuasive.

I was very disturbed earlier today to learn—and it could well be somebody mixing up their facts; I understand—catch this, my friends—of the allegation that the government had offered to put this bill into committee of the whole House to repeal section 44, to remove section 44 from the bill, in other words, to maintain the Edible Oil Products Act, but that the New Democrats wouldn't consent. Whoever said that, anybody from the dairy industry, from the cattle industry—and I'm not suggesting it was any member of this assembly; please, I'm not speaking about a member of this assembly, so I can say it—whoever said that outright lied, told the greatest—

The Acting Speaker: The English language has a phenomenal range of words, some of which are not allowed in here, so I'd ask you to retract it.

Mr Kormos: Withdrawn. The penultimate prevarication was performed, I tell you that, Speaker, with no hesitation, and I say to you right here and now that I seek unanimous consent to revert to committee of the whole, where we can put Bill 87 to this Legislature for the purpose of voting down section 44, returning back to the Legislature in this debate, upon which, should section 44 be voted down, New Democrats will cease their debate and support the bill. I put that by way of unanimous consent.

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The Acting Speaker: Mr Kormos has asked for unanimous consent to revert to committee of the whole. Is it agreed? It is not agreed.

The Chair recognizes the member for Niagara Centre.

Mr Kormos: It was the parliamentary assistant to the Minister of Agriculture who didn't want to revert to committee of the whole House so that we could have a second kick at the can and vote section 44 out of this bill. I don't want to put words in the official opposition's mouths, but I suspect—and they may well just by nodding indicate—that they would have been more than eager to do it.

Mr Peters: On a point of order, Mr Speaker: I'm going to give this government one last opportunity to dis-

charge the repeal of the edible oils act. I ask for unanimous consent that, notwithstanding the order of this House dated October—

The Acting Speaker: When there are two of us standing—

Mr Peters: I apologize. I was reading and didn't recognize—

The Acting Speaker: That is not a point of order.

Mr Peters: On a point of order, Mr Speaker: I ask for unanimous consent that, notwithstanding the order of this House dated October 15, 2001, the order for third reading of Bill 87 be discharged and that the bill be referred to the committee of the whole.

The Acting Speaker: Asking for unanimous consent is a point of order.

The member for Elgin-Middlesex-London has asked for unanimous consent to proceed. Is there consent? No, there is no agreement.

The Chair recognizes the member for Niagara Centre.

Mr Kormos: Well, the opposition parties tried, and I suppose that dispels a myth that somebody tried to generate some time over the last 24 hours or so.

We've made it clear. This is not a particularly difficult decision because, as I say, the information put forward was pretty clear and pretty overwhelming. New Democrats are standing with the dairy farmers and with the cattlemen and their families.

Among other things, our view is that that industry is not only historical, but is so important to the agricultural industry overall that it creates more spinoffs possibly than any other single sector in the agricultural industry, and among my constituents are some of those very same dairy farmers. I'm inclined, in the most absolute of ways, to stand with them at the end of the day.

I don't think Mr Marchese, the member for Trinity-Spadina, has a single dairy farmer in his riding. There could be the occasional absentee dairy farmer who lives in downtown Toronto but whose farm is somewhere out in sort of North York—

Mr Rosario Marchese (Trinity-Spadina): But we have a lot of gardens.

Mr Kormos: Mr Marchese says they've got a lot of gardens. I should tell you, I live in small-town Ontario, but it is urban. In terms of farming, my mother's parents were farmers. They were real, bona fide farmers. My father's parents were—well, they were peasant farmers in Europe. I've got to qualify that because although they were farmers, they were peasant farmers. I've been to that part of Europe. As a matter of fact, I've been to the piece of land that they called home, and the size of the piece of dirt that they not only supported their families on but on which they grew enough food and generated enough milk from one cow to earn a few dollars every month—people in Toronto have bigger gardens than that farm was, and still is, in eastern Europe.

But let's understand this is not trivial stuff. We've got to understand that second only to the automotive industry is agriculture here in the province of Ontario in terms of what constitutes our economy. As we see some signifi-

cant erosion of our automotive industry, that agricultural sector acquires more and more significance, again in terms of our economy.

Let's also understand that if we lose our farmers by virtue of beating up on them, if we lose our farmers by virtue of paving over important farmland, if we lose our farmers by virtue of not ensuring that they are paid fair incomes, fair revenues for the hard work they contribute to the agricultural product they create, you're never going to get them back. Then we become victims of the huge corporate farms down in California that persist because of the type of workers they employ and the low, sub-minimum wages they pay that undercut our farmers every day and make significant impacts on the agricultural industry here in Ontario.

I think it's important to protect our farmers because of the intrinsic value that farmers have here in Ontario, that they've had historically, and the fact that they constitute an essential part of our culture. Farmers are an essential part of our culture.

Mr Marchese is going to regale you, Speaker, with excerpts from the auditor's report. To suggest that it's only section 44 that causes concern to the New Democrats about this bill is somewhat, I suppose, hyperbolic. The fact is that we have great concerns about this government's clear commitment to the privatization, the contracting out of inspection services.

Time and time again in this committee, as well as in the nutrient management committee, I heard farmers speak highly of OMAFRA and speak about its staff in high regard and with great levels of trust. Similarly, as they did that, they expressed great concern about the contracting out and the privatization of services in the agricultural sector. I tell you, this bill before the Legislature now, Bill 87, certainly does nothing to relieve that concern about privatization. Indeed, the very structure of the bill is designed to accommodate yet more and more privatization.

The reduced number of inspectors, indeed the abandonment of meat inspection for all intents and purposes other than the handful of provincial meat inspectors left, has in no small part—as a matter of fact, in every significant way—contributed to the crisis that the auditor in this province revealed and disclosed in the meat processing, meat packing and meat marketing industry, in that area that's regulated and controlled by the province. Indeed the concern went from meat to dairy product—specific comments about goat milk—and from the dairy product through to other parts of agriculture: to the fruit industry, to the provision of fruits and vegetables and the fact that there were levels of unsafety, to put it politely, found in that particular sector.

Mr Marchese prevailed upon me to ensure that he had time to speak to this matter. Mr Marchese cajoled me into providing him with sufficient time to present his views on Bill 87. Mr Marchese would be extremely upset with me if I didn't leave him the 10 minutes that I promised him.

Mr Marchese: Ten?

Mr Kormos: Yes, Mr Marchese, 10.

Mr Marchese: What about 13?

Mr Kormos: No, not 13.

Mr Marchese: What about 12? Why don't we compromise?

Mr Kormos: Well, you might get 12. Enough said.

There is nothing equivocal about where the New Democrats stand with respect to Bill 87. Were this government to have assisted us in voting down section 44, were this government to have worked with us in maintaining the Edible Oil Products Act and the protection it provides to the dairy industry, we would have been supporting Bill 87 and we would have been prepared to work with this government and the dairy farmers and, quite frankly, the edible oil products industry in doing any fine-tuning that was necessary to the EOPA. This government ignored the wishes of farmers in this province; this government ignored the best interests not only of farmers but also of consumers in this province; this government ignored the advice of nutritionists who told this government that the increased scope of the edible oil products industry and their utilization of palm oils and coconut oils was going to create new and even bigger health hazards in an already relatively unhealthy culture and society in terms of what we eat, how we eat it and when we eat it. This government had no interest in listening to those folks.

I am extremely disappointed in this Minister of Agriculture. I'm extremely disappointed in his parliamentary assistant. One would have thought, had the Minister of Agriculture had the commitment he purports to have to these farmers, that he could have persuaded the brain trust around him, the Premier, the Premier's office and cabinet to abandon section 44, and that is to backtrack on the repeal of the Edible Oil Products Act.

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Let's understand that at the end of the day, the Edible Oil Products Act repeal is not about soybean farmers; it's about the big corporate manufacturers of that synthetic, oil-based food. Lever Brothers and their ilk clearly have far more clout with this government than do the farmers of Niagara north in Niagara region, or the dairy farmers, not just of Niagara north but of Oxford, or the dairy farmers of Algoma. I listened. I was there when John Hawdon of the Algoma Dairy Producers Committee spoke. He made it quite clear that this government's repeal of the Edible Oil Products Act was a direct attack on dairy farmers. I was there when Gord Coukell, chairman of Dairy Farmers of Ontario, made his presentation. He made it quite clear that this government was engaged in a direct attack on the dairy farmers of Ontario.

I tried to understand why this government would do that, but then I started to realize whom the edible oil products industry is all about, and it's not about the soybean farmers. Soybean is a minor element of the vegetable oil that they incorporate into their products. It's coconut oil and palm oil, cheap and incredibly unhealthy, none of it grown in Ontario, but it's big industry.

New Democrats are not going to stand by while this government beats up on people who have been farming, be they dairy farmers or otherwise, for generations, with the amount of incredibly hard work they have performed throughout the course of their lives and, indeed, generations. New Democrats aren't going to stand by while this government beats up on them, their families, their history, the unique culture they have in this province, in deference to big international and very wealthy corporations. I suspect that the only thing missing—and Mr Marchese may be able to fill in the gap—is just how much Lever Brothers contributed to the Conservative Party of Ontario. Mr Marchese may be able to tell us that. Mr Marchese may be able to tell us whether or not Lever Brothers contributed to the campaign of this Minister of Agriculture. We look forward to his opportunity to take the floor. Once again, we're voting against it, and we're voting against it because of section 44.

Mr Doug Galt (Northumberland): I appreciate having some time. I also appreciate the rotation that's going on here. I do want to speak a little bit on the proposed Food Safety and Quality Act. After Bill 87 received second reading in October, it was ordered referred to the standing committee on justice and social policy for further debate. Last month, the committee held two days of public hearings and heard from numerous stakeholders about the bill. There was indeed unanimous agreement that food safety is a critical issue for Ontario's agri-food industry and that Bill 87 would form an effective backbone for our food safety system.

There were also concerns about the bill expressed by our stakeholders during the committee hearings. I would like to take just a few minutes to discuss these issues with you and share the resolutions that were developed.

One concern that was raised during the committee hearings was the inclusion of goat and sheep milk in Bill 87. Currently, only goat and cow milk are regulated under the Milk Act. The Milk Act was originally written for the cow milk industry and provides for a marketing board to levy penalties and fines. This same system does not exist for goat and sheep milk, which have less-established industries. As the auditor's report indicated, the Milk Act is not very effective for goat milk. In the current system, without a marketing board for goat milk, there are fewer consequences, such as licensing, available to ensure compliance with safety and quality standards.

The goat milk producers have told us that they feel more comfortable remaining in the Milk Act. Sheep milk, as I said earlier, is currently unregulated. A major goat milk processor in Ontario has expressed support of the inclusion of goat milk in Bill 87.

I know that change rarely comes easily, but we feel that goat and sheep milk need to be addressed in the proposed Food Safety and Quality Act. Because these newer industries do not have the marketing organization of the cow milk industry, Bill 87 provides for licensing and other enforcement measures necessary to ensure safety and quality of the milk and milk products of goat, sheep and possibly other species in the future.

Consumers generally are not aware of which act regulates a specific commodity. The fact that the goat and sheep dairy sectors would be regulated under the proposed Food Safety and Quality Act could actually enhance the food safety image of niche market milk products because of better enforcement tools under Bill 87. Retailers both in Canada and internationally are watching Bill 87 with interest and are aware of these new tools.

During the committee hearings and during discussions with ministry staff, the goat and sheep dairy industries have been assured that all the work done to date on developing regulations for their industries will be used as a base for new regulation under Bill 87. I want to reaffirm that commitment and assure goat and sheep dairy producers that they will be consulted fully as regulations are developed under Bill 87.

Some stakeholders have expressed concern that Bill 87 will mean a duplication of efforts, that it will lead to inspections by different levels of government or requirements for more than one licence. Mr Speaker, let me assure them and you that nothing could be further from the truth. We are fully committed to minimizing red tape and duplication of services and will absolutely be keeping this in mind as regulations are developed under Bill 87 in consultation with the relevant stakeholders.

Let me give you an example. There are currently five regulations with provisions establishing requirements at retail stores. One falls under the Edible Oil Products Act and four come under the Farm Products Grades and Sales Act. The provisions deal with matters such as standards for mandatory grading, marking and labelling, marketing, selling and advertising, as well as display signs and product placement. Inspectors representing my ministry enforce these regulations. This does not conflict with the role of the public health inspectors in food retail outlets, which is to check premise sanitation and employee hygiene for compliance with health standards. In fact, regulations that would be developed under Bill 87 would complement public health standards and help contribute to our field-to-fork food safety system.

In addition to Bill 87, there is one other significant OMAFRA initiative linked to improving Ontario's food safety system. Bill 81, the proposed Nutrient Management Act, and Bill 87 have the common goal of improving the competitiveness and the economic activity of the agricultural sector. The proposed Nutrient Management Act addresses the management of materials containing nutrients and other farm practices, including the management of dead stock on the farm. Bill 87 includes the off-farm disposal of dead animals. These two bills are being coordinated to ensure that the appropriate management of dead stock is continued.

The proposed Food Safety and Quality Act would allow us to broaden the scope of Ontario's food safety system to cover more foods, starting at production and ensuring coverage throughout the whole food chain. We must take advantage of recent scientific advances to keep us competitive with the rest of the world. We need to

strengthen enforcement measures to ensure the safety of all people in Ontario.

A number of amendments were made to the bill before it was passed by the committee on justice and social policy. The proposed Food Safety and Quality Act is a very complex and comprehensive bill. Its drafting was a complicated, time-intensive process that involved a dedicated staff working above and beyond the call of duty.

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In reviewing the bill after its introduction in June, it became clear that some of the intentions of the bill were not clearly reflected in it. Many of these issues could have had serious implications regarding the effectiveness of this very important piece of legislation. It is imperative that we get it right. With the amendments passed by the committee, I believe we have done just that.

In the end, our overall goal is to move in a step-wise fashion to a modernized, science-based food safety system founded on the principles of risk analysis and risk management, a seamless system that covers the food chain from field to fork, and a market-friendly system consistent with Ontario's trade responsibilities and industry needs.

I was listening intently to some of the debate that came earlier this evening. I heard the member for Elgin-Middlesex-London criticizing our government for saving money. Some of the farmers who are sitting in the members' gallery this evening I'm sure would not criticize a government for saving money. Every time I hear a Liberal open their mouth about a solution to something, it's always about spending money. We saw what happened during the lost decade, from 1985 to 1995, as they spent and they spent this province into a tremendous debt, a debt that our children are probably going to have to pay off.

He criticized our government about everything from safety nets on. I would point out to him and to his party, which government came through last spring? Was it the federal government? Did they come through, leading? No, not at all. The federal Liberals didn't. It was our Minister of Agriculture. It was the provincial Conservatives who came through with \$90 million to assist the farmers because of hard times. Those dollars within a week or so were in the farmers' pockets from the day it was announced here at the Legislature. That's what the Honourable Brian Coburn was able to do with his cabinet and with his government.

I have the greatest respect for the Honourable Lyle Vanclief, an excellent individual, but obviously he does not have the support of his government behind him. It's very, very obvious when it comes to assisting the farmers.

I also heard him talking about assisting and standing behind dairy farmers. It's pretty obvious; he talked about his distant cousins in Ottawa. I can understand why he'd refer to them as distant cousins. I would disown them if I was in the Liberal Party, heaven forbid.

He talked about puppets voting. I was really quite entertained by that because they have stood up in this

House and voted against every tax cut that has gone through. They've voted against every measure that has come up in finance to spend dollars, to increase health care, for example. There was a point where we went ahead by \$6 billion. Actually, we've increased spending here by \$6.8 billion, \$6 billion of that for health care, while the federal Liberals went behind. But they were prepared to stand up and vote against that increase of \$6 billion, just like a group of puppets standing up to vote against each and every one of those bills as they came forward. I think that's a crying shame. If they'd only been supporting them, imagine where we might have gone with some of those tax cuts. Our revenue has increased, as you're quite aware, by over \$15 billion since we took office. That revenue—I'm referring to tax revenue—is actually a 50% increase. We were sitting at about \$30 billion in tax revenues prior to taking office in 1995, and that has now increased to \$45 billion. As the member mentioned, they have stood up like puppets and voted against each and every one of these. I think that indeed is very unfortunate.

He spent a lot of time talking about misrepresentation, about the buttery popcorn, and the cheese made out of soybean. I think it was unfortunate that he really got on to that because of course this is labelling, and content is a federal issue. Again, he referred to his very, very distant relatives down in Ottawa when he really should have been talking about his very close friends, because whom do they have to come to their fundraisers to speak? They get ministers from the federal government to come to their fundraisers to speak because it's a great image. That's when the family relationships get very close.

Then I was a little horrified to hear him make the statement that he didn't have any confidence in the private sector. I'm sure the dairy farmers sitting here in the members' gallery were a little taken aback by the fact that this individual doesn't have any confidence in the private sector. I have a lot of confidence in the private sector. I'm certainly very pleased that we've been able to move a lot of government activities out into the private sector and to see the advantage and what has been happening there.

He also mentioned 18 charges in one year having to do with food safety. I was sitting here, listening to it and thinking, "Well, if we had 18 charges for murder in the province or a given municipality and if we doubled that, would that mean we're living in a safer province or a safer city?" I don't think so. But they seem to relate many charges to safer food.

I say, working with the milk processing plants or working with the slaughterhouses to improve the conditions, that laying charges is a very poor way of going about measuring whether there's quality there, measuring whether there's safety, but it's an indication of the direction and the lengths they'll go to pull those kinds of things in.

They talked about money. He forgot to mention things like healthy futures, the \$2.7-million support that's been given to dairy farmers of Ontario to work with the

HACCP program, and also the fact that that's going to work up to about \$20 million in actual expense; healthy futures helping in this general area of food safety, some \$6 million in total into various projects.

I think it was interesting and I have to comment on the member from Niagara Centre's not going to stand by and see this kind of thing happening. I thought it was quite interesting that he was trying to pose himself and their party as a friend of the farmers, when I remember back in 1994 they were talking about unionizing the family farm. I don't think there were too many farmers in Ontario who really believed that the NDP government was their friend. Certainly in my riding of Northumberland it didn't matter whether you were in Cramahe township or Murray township or Brighton or Seymour, it was the same story: they did not want to have their staff unionized by the NDP government in Ontario. They just couldn't wait until there was an election to make sure there was no longer an NDP in this province to unionize the family farm. They tried to talk about what a friend they are to the family farm. I don't think the farmers in the members' gallery this evening were buying that one little bit.

This is about Bill 87, food quality and safety. It's an excellent bill that has been brought forward by our minister. I look forward to a speedy passage. I don't think there's any question that we're going to be better off in Ontario. We've certainly had tremendous food products, very safe products, and this is only going to ensure that those products continue in the province to look after our people.

Thanks very much, Mr Speaker. I look forward to the immediate passage of this bill.

Mr Marchese: God bless the member, the good doctor from Northumberland. He's a real trooper, he is, a trooper for this government and for that ministry and for every other minister.

I want to thank my friend from Niagara Centre for giving me some time, because I know how tight we are with time in this place. With this government strangulating debate with one bill after the other in terms of moving closure motions, we have no time to debate anything. So I appreciate the time you gave me.

I do want to correct the record, because the member from Niagara Centre suggests there are no farmers in the riding of Trinity-Spadina, and I suspect that there are many. I want to tell him that there is one person in particular whom he may or may not know, a former Ontario dairy princess who lives in my riding, Sheryl Pollock, for the member of Niagara Centre to know that we have a lot of farmers in our riding.

Mr Kormos: I don't meet them on College Avenue with you.

Mr Marchese: You should go there more often.

But here's what I want to say in response to the good doctor from Northumberland, because he's a real trooper.

Mr Kormos: Are you being sarcastic?

Mr Marchese: Was it detectable?

The Acting Speaker: Order.

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Mr Marchese: The auditor is a person I trust. They're supposed to be neutral, and in my thinking and my experience I have nothing but respect for the auditor in terms of how he treated us and how he treated the Liberals.

Most auditors are there for the express purpose of giving a fair account of what it is that they—he or she; in this case he—see with respect to an accounting of everything they review. So I trust the auditor. I know the government doesn't as much. I know that they hide around this problem and they don't want to talk about it. And yes, they manufacture all sorts of reasons as to why they were or were not doing things with respect to what the auditor said they were or were not doing, and I understand the government would do that.

But this report is damning of this government with respect to food safety, good doctor from Northumberland. You failed to mention once what he talked about. He's damning of you, good doctor—not personally, but of you and all the other members of your government. The auditor says that you are endangering the safety of our food. He says that. The slaughterhouses are not meeting health and safety rules. The auditor says that. It's not the opposition saying these things. I can understand the good citizens watching saying, "It's the opposition, and if the opposition says it, it must be—who knows?—a fabrication possibly, because they are there to oppose." I'm not saying this. It's the auditor who says these things.

What else does he say? He says that in these slaughterhouses there's rusty equipment that's used. We're talking about rusty equipment. Can you, citizens of Ontario, imagine rusty equipment cutting up that meat that ends up on your plate? We're talking about unsanitary food. We're talking about transporting meat in non-refrigerated vehicles. Can you picture this, those of you who watch this political forum? Can you picture meat being transported in vehicles that are not refrigerated? It ends up on your plate and you may be gobbling it up—not gobbling it up, but eating it in a refined manner, or not. But however you eat it, it ends up in here. Rusty equipment being made to cut up that meat, non-refrigerated vehicles—picture that—and it ends up in your house, on your plate.

This is the government that the good doctor from Northumberland leads us to believe is protecting us all, members and non-members alike, all Ontarians. To hear him speak, they are a model. To hear the auditor, however, we are in serious trouble. The evidence is compelling that our food safety is in jeopardy, and when it comes to trust, I trust him and not the good doctor from Northumberland or the minister or this government.

The auditor says more: the government is failing to inspect milk producers. Everyone drinks milk, with the exception of a couple of people or those who may be allergic, but the majority of people drink milk. The auditor says the government is failing to inspect milk producers. The member from Northumberland, God bless you, you lead us to believe that you're doing a great job. You gotta read it. Take a couple home with you.

Mr Galt: I have a copy.

Mr Marchese: Oh, you do. You haven't had a chance to read it yet, perhaps. The good doctor hasn't had an opportunity perhaps to read the document. The auditor says there is insufficient inspection, lack of proper equipment to detect bacterial contamination, no standards to enforce levels of bacteria. The good member from Northumberland, in talking to the farmers up there—I hope the farmers tell him he should read this auditor's report.

I have to tell you, Minister, we used to have 120 inspectors. We now have eight. It's nothing to boast about. I think you said you're adding another 10—

Interjection.

Mr Marchese: Oh, wait a minute. The minister says it's not true. Is that—

Mr Kormos: It's less than eight. It's worse.

Mr Marchese: Is it less than eight? Was I wrong? From 120 we go to eight inspectors. How can the member for Northumberland or the minister of this important ministry do that? What is the role of government except and no less than to protect Ontarians? What are you doing? What is your job? How is it that you're escaping scrutiny from the majority of people? You should tell Ontarians that we have a problem with food safety, quality, inspections—the whole lot.

They say, "Oh, don't worry. We're going to add 10 more inspectors, and that will do it." And by the way, he says the bill will give greater penalties to those who are violating food safety laws. Well, if you've got eight inspectors and maybe you're adding a couple more—because we went from 120—what does it mean? You can fine them up to a million bucks. So what? If you don't have any inspectors, what are they going to inspect?

Mr Kormos: Is that eight for the whole province?

Mr Marchese: Eight. And you understand that where our leader is from, it's bigger than France. Ontario is a big province. Ontario is three times bigger than Italy. It's a big province. Eight inspectors. How do these people get away with it? What is the role of government except and unless—

Mr Kormos: It's criminal. It's a crime.

Mr Marchese: It is a crime.

He says they're going to allow for alternative levels of delivery, inspection and other services. What this means is that it's opening the door to privatization. This is touted by the government, saying not only, "We're modernizing the safety system," but they're going to bring it to world-class. World-class my—you know what I mean. The auditor has told us how world-class the system of food safety and quality is in this province, and you have trust that these people are going to take us to some world-class levels of food safety in this province? If we're in such a mess now, it's going to get better because of this? Who do you trust, Ontarians? We have a serious problem.

These people said that they saved money by privatizing maintenance service in this province. The auditor said that this was not true. They hired a lot of consultants to give us an opinion saying that they made a 5% sav-

ings, and the auditor says it's not true. They're going to privatize road tests, no less. They're on a road to destroy Ontario. I hope you Ontarians will not allow that.

The Acting Speaker: Mr Coburn has moved third reading of Bill 87. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Pursuant to standing order 28(h), the Honourable R. Gary Stewart would like to request that the vote on Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts, be deferred until December 5, 2001. So be it.

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NUTRIENT MANAGEMENT ACT, 2001

LOI DE 2001 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Mr Coburn moved second reading of the following bill:

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / *Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.*

The Acting Speaker (Mr Bert Johnson): We will start debate in clockwise fashion, and we'll start with the government caucus.

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): I'll be sharing my time with the member from Northumberland and the member from Haldimand-Norfolk-Brant.

It's my privilege today to introduce Bill 81, the Nutrient Management Act, 2001, to the Legislature for second reading. This bill was first introduced on June 13, 2001, after extensive consultation, probably more public consultation in preparation of this bill than any other bill that has been introduced in this House. The work began long before that, when we were meeting with farmers, environmental groups, municipal officials and rural residents during the winter of 2000 to gather input for this proposed legislation. We were working with our colleagues at the Ministries of Environment and Municipal Affairs and Housing, and we worked extensively, before that, with my colleagues Dr Galt from Northumberland and Toby Barrett from Haldimand-Norfolk-Brant, who had done extensive consultation with stakeholders across this province.

Throughout that period of more than a year, a co-operative spirit prevailed. I want to acknowledge all of

those who worked with us to develop this proposed legislation and to thank them for moving us a step closer to that goal of ensuring that we protect our environment and the future of our agri-food industry and our rural communities.

In the months since Bill 81 was introduced, the standing committee on justice and social policy has held a series of public hearings regarding this bill and it has been through a clause-by-clause reading. Those public hearings reaffirmed what this government knew when it first introduced the proposed legislation: there is a province-wide need for clear, consistent and enforceable standards and regulations for all nutrients applied to the land, to ensure that our agri-food industry and our rural communities continue to thrive together and that our natural resources of land and water are protected. In fact, one of the motions brought forward by the government and passed by the standing committee on justice and social policy was designed to more clearly articulate that purpose. I'm quite confident that this proposed legislation would, if passed, further the government of Ontario's ability to provide that protection.

As part of this government's Operation Clean Water initiative, Bill 81 would put in place preventive measures to address the effects of agricultural practices, especially as they relate to land-applied materials containing nutrients. It would protect the environment and quality of life for all residents of this great province. And it would provide the clear and consistent rules so necessary for farmers, like all businesses, to make sound investment decisions.

Because it would do all this, we believe that the proposed Nutrient Management Act would also provide a strategy to guarantee the future of agriculture and rural development. This strategy would be based upon the best practices that many farmers already use. It would make those voluntary practices mandatory standards. Nutrient management plans, for instance, currently in place on many farms in Ontario, would be required on all new large livestock farms and be phased in over time on all farms. We would require that commercial applicators of these materials be certified. We would phase in a ban of the land application of untreated septage. We would develop the required education, training and certification programs, and work with our partners to deliver these programs efficiently. We would put in place highly trained provincial inspectors who are knowledgeable in agriculture and the environment to enforce the new standards. Finally, because we realize just how complex this issue is, we will involve our stakeholders in the agriculture industry and environmental organizations, in municipal government and with our colleagues in the provincial government in the development of the strategy's framework and its standards, and then phase it in over time.

Taking these steps will ensure the sustainable growth of our agri-food industry, safeguard the environment and enhance rural Ontario's ability to attract new investment. That's because this proposed legislation would give us an

integrated and comprehensive approach to nutrient management in all parts of Ontario.

The proposed legislation would not supersede any of the acts that currently govern our relationship to the natural environment, legislation such as the Environmental Protection Act or the Ontario Water Resources Act. It would, however, supersede municipal bylaws related to nutrient management, ensuring a consistent approach and a clearly articulated set of common goals right across Ontario.

Having said that, I want to make it very clear that the province does not want to be in conflict with the wishes of local municipalities. In fact, municipalities are encouraged to help develop the standards, so that the standard for a given category that is put in place is the right standard.

As I have already said, Bill 81 would build on the successes and best practices of our farmers. Bill 81 would also focus the efforts of the agriculture industry, municipalities, the Ministries of Agriculture, Food and Rural Affairs, the environment and other partners in government and the community. That is a key point, because the best way to achieve a common goal is to work together.

We have learned, through the Managing the Environment report, that to properly manage our environment we need a new, concerted approach that recognizes the responsibilities, the expertise and the resources of all those involved in this issue, whether they be provincial ministries, municipalities, industry stakeholders or members of the scientific community. That report also tells us that legislation by itself is not enough to protect our environment, that we need a broader approach, including education, certification and research. That is indeed the type of approach that we are taking with Bill 81.

We also know that different types and scales of farm operations pose different risks. This proposed legislation would recognize those differences by supporting an innovative approach and an interdisciplinary and multi-sector framework.

As you know, most Ontario farmers are good environmental stewards and good neighbours. But farming practices, like everything else, have changed dramatically in recent years, as economics demand and technology encourages ever larger farming operations. And as with any business, there are risks associated with farming that must be managed. For instance, nutrients are needed to grow our crops. Manure, biosolids and other materials have beneficial properties but, if mismanaged, they can also pose risks. These materials must therefore be properly managed. The pressure is on from our agricultural community to do just that. People everywhere are increasingly interested in and concerned about the environment, seeing it as a key element in the quality of all our lives.

The proposed Nutrient Management Act would address those concerns by ensuring strict controls around the land application of materials containing nutrients, requiring mandatory nutrient management plans and setting

seasonal and timing restrictions, setback requirements from drains, waterways, wells and buildings and quality criteria and testing requirements, and ensuring that they're adhered to.

The bill would establish provisions for alternate service delivery of activities such as the review and approval of nutrient management plans and the operation of a registry for those plans to ensure that we act in the most effective and efficient way possible for the benefit of all residents of Ontario.

Mr Speaker, just bear with me for a moment so I can reiterate what I have just said: this proposed legislation would provide the government of Ontario with the option of pursuing alternative service delivery if that is deemed to be the most efficient and cost-effective way of providing that service. It is, I believe, the responsible thing to do, given that the economy is beginning to slow. The only other restriction on that is with respect to the enforcement portion of this bill, and it is written into the bill that that enforcement will be done by the government.

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I have already mentioned that when we spoke to our stakeholders, they told us they wanted this type of legislation. They also told us time and time again that they wanted strong provincial enforcement of this legislation, and that's why the proposed legislation would provide for provincial officers, highly trained in agricultural and environmental issues. It would give those officers powers of inspection and investigation powers consistent with those given to provincial officers under other provincial environmental legislation.

That combination of awareness and authority would ensure that the regulations are enforced fairly, for the good of the industry and for the good of the environment. At the same time, Bill 81 would establish the right to appeal. Lastly, the proposed Nutrient Management Act would have provisions for a local advisory committee to be created to promote awareness of the new standards and mediate local conflicts as required.

To this point, I have been speaking only about what the proposed legislation would accomplish here in Ontario. But it will also realize benefits outside this province, in the global marketplace. All around the world, consumers want assurance that the foods they are eating are not just of high quality, are not only safe, but also that these foods have been produced with environmentally sustainable practices.

The proposed legislation would provide consumers with the certain knowledge that the agri-food products from Ontario are safe, are of high quality and that our production practices are sustainable. That knowledge would come from having clear, consistent standards and regular audits and on-farm inspections. Ontario's farmers would have, once again, raised the bar.

There are, of course, costs associated with reaching that next level of quality and safety, but Ontario's farmers know that every sound investment yields a return. That's why so many producers have already

voluntarily invested their money in environmental stewardship. Farmers know that by adopting this proactive approach, they are ensuring that valuable resources are being well managed and that every farmer is on the same page. Ontario's reputation as a producer of outstanding agri-food products will be greatly enhanced.

That means a better business climate in which to operate. That means farmers would have an enhanced ability to make sound investment decisions and would reap the benefits of those decisions. I have to point out that when farmers prosper, rural communities prosper. In fact, given the size of our agri-food industry, the province's third-largest, when farmers prosper, all of Ontario prospers. The government of Ontario is very much aware of that, and that is why we are so firmly committed to Bill 81.

The proposed Nutrient Management Act, 2001, would without a doubt safeguard our environment, boost our agricultural competitiveness, enhance the existing business climate in rural Ontario and allow each and every one of us who lives in this great province to enjoy a quality of life that is second to none.

The Deputy Speaker (Mr David Christopherson): The member for Northumberland.

Mr Doug Galt (Northumberland): Thank you very much, Mr Speaker, for the opportunity to speak on this most important bill, the proposed Nutrient Management Act, 2001. I have been spending considerable time, well over two years now, being involved in consultations and working our way to this point. I certainly look forward to having this passed before the House adjourns in this session.

My colleague the Honourable Brian Coburn has already explained why the government of Ontario introduced this proposed legislation and the benefits it would bring, both in terms of agricultural sustainability and environmental protection.

I'd like to take a moment or two to explain why we are so sure that this is the right thing to do, the right way to do it and the right time to do it. First of all, the government of Ontario recognized that some pretty dramatic changes were taking place in rural Ontario. For the first time in decades, more people were moving to the country than were moving to the city. In fact, as it now stands, fully 25% of Ontario's population lives outside its urban areas.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: Can you have the Clerk check, as there doesn't appear to be a quorum?

The Deputy Speaker: I'm hearing a call for a quorum check. Would the Clerk see if there is a quorum, please.

Acting Clerk at the Table (Mr Douglas Arnott): Quorum is not present.

The Deputy Speaker ordered the bells rung.

Acting Clerk at the Table: Quorum is now present, Speaker.

The Deputy Speaker: The member for Northumberland may continue.

Mr Galt: Farming itself has changed as well. It is intensifying and individual operations are getting larger. Municipalities have tried to deal with the growing pressures on rural Ontario through bylaws, which have unfortunately created a piecemeal approach and have in some cases resulted in conflicts. It creates a real dilemma for our municipalities. Bill 81 would solve that dilemma by putting in place clear and consistent rules that must be adhered to, rules, by the way, that work with existing environmental legislation. Farmers, like everyone else in this province, must follow the dictates of the Environmental Protection Act.

Should Bill 81 be passed by this House, farmers will still have to follow the dictates of the Environmental Protection Act. In fact, the passage of Bill 81, the proposed Nutrient Management Act, 2001, would ensure that all farmers in Ontario, no matter where or what they farm, would be subject to standards and regulations when it comes to managing the nutrients, including manure, that are applied to agricultural lands. It was in fact the farmers themselves who asked for this legislation. Farmers, their commodity leaders, their organizational leaders, all of them asked the government of Ontario to take the lead on this very difficult issue.

But they were not the only ones making this particular request. Municipal officials and leaders, rural residents and environmental groups all turned to the government of Ontario for the leadership required to turn a piecemeal patchwork of bylaws into a clear, consistent and province-wide approach to nutrient management. Before we could lead, however, we had to be sure of where all these people wanted to go. It was my privilege to co-chair, along with my colleague Toby Barrett, province-wide public consultations regarding the issues surrounding nutrient management.

Prior to getting on the road, we produced a green paper—it's two years ago now that that green paper was produced—to give farmers, environmentalists and other stakeholders some idea of the problems, the need and what was happening out there. Then we went on the road to some four communities in western Ontario and two in the east, and also had telephone conference calls with several farmers in the north. We heard some 140 oral presentations from delegations representing farm organizations, environmental groups, individuals, municipalities, planners, medical officers of health and provincial stakeholder groups. I can tell you, at some of those sessions it was a bit like a powder keg, because we had people in the room who were on both sides: those who were concerned about how the nutrients were being applied and the odours that went with them, and of course the farmers—at least some of the farmers—saying, "You're going to interfere with our ability to farm and spread the manure produced by our animals."

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We also received some 200 written submissions from individual farmers, farm organizations, municipal officials, environmental organizations, citizens and agribusinesses.

We studied other jurisdictions in Canada and the United States, as well as in Europe.

In September 2000, we brought together the Ministers of Environment, Municipal Affairs and Housing, and Agriculture, Food and Rural Affairs, along with farm and commodity leaders, representatives of environmental and rural groups and municipal officials for an intensive day-long meeting. The purpose was to ensure that the ministers most involved with the issues heard first-hand from those most affected. I might add that not only were the consultations going on with the politicians, but also staff in the ministry made several rounds around Ontario to consult and discuss aspects of this particular bill. Time and time again, the message we received was that the time had come for nutrient management legislation, that it was needed and that to be successful, any approach to nutrient management would have to be province-wide, based on clearly articulated standards, cost-effective and enforced by the province.

That is the approach we took when we drafted this proposed legislation. As the House knows, immediately after first reading of this proposed legislation, additional input from the public was sought through the Environmental Bill of Rights registry and the standing committee on justice and social policy. Nine days of public hearings were held in nine different locations: Toronto, Caledonia, St Thomas, Chatham, Clinton, Owen Sound, Kemptville, Peterborough and North Bay. Again, the public delivered the same message. Those who took the time to address the standing committee are highly supportive of this proposed legislation. They are pleased by the fact that Bill 81 would allow for the creation of local advisory committees. They agree with the government's intention to develop education, training and certification programs. Above all, they agree that they want to be very involved in the development of standards and regulations under this proposed legislation. In short, this legislation is timely; this legislation is needed.

The same committee also went through Bill 81 clause by clause. Twenty motions were brought forward; five were passed. The Minister of Agriculture, Food and Rural Affairs has already spoken to the first of these motions. The purpose of the proposed legislation is now more clearly articulated, and reads as follows:

"The purpose of this act is to provide for the management of materials containing nutrients in ways that will enhance protection of the natural environment and provide a sustainable future for agricultural operations and rural development."

The first clause, referring to geophysical studies, was reworded to provide a clearer listing of the kinds of scientific studies landowners would need to do on their soil and water: what might be included in such a study, the qualifications of the people carrying out the studies, and the requirement to follow the recommendations from those studies. The government wanted to make this change to ensure that everyone will know what would be needed to ensure compliance with the law.

Second, another section was amended to better reflect the realities of rural mail delivery, allowing five days for delivery rather than three. This change also brings Bill 81 into alignment with the requirements under the Environmental Protection Act.

Third, we amended the bill to include a specific requirement for inspectors to follow procedures with respect to biosecurity on farms. We heard repetitively, particularly from livestock owners—in my background as a veterinarian, I certainly empathize with their concerns about biosecurity and what kinds of conditions or diseases, particularly infectious conditions, might be carried from one farm to another. As a good government would, we responded to those concerns and brought that into amendments for this legislation. Our government recognizes that as much as we must take steps to protect our environment, we must also, and at the same time, take steps to protect the livelihood of our farmers by making sure that anyone entering a farmer's property does not inadvertently spread diseases.

All this says to me that the proposed Nutrient Management Act, 2001, reflects the will of the people of Ontario, because it would enable us to draft standards and regulations governing the application of materials containing nutrients on agricultural land and because it would not only ensure the continued success of our agri-food industry but also protect the quality of our natural environment.

When it comes to the drafting of the new regulations, that too will be done in consultation with those people most affected by them. We will seek input from farmers and their organizations, from environmental groups, from rural residents and from municipal officials. In fact, we will listen and give consideration to every individual who wishes to comment on the regulations.

It is important to remember that this proposed legislation is risk-based and will focus a greater level of attention and resources where the risk to the environment is the greatest. That's why this legislation would provide a framework to phase in standards over time, according, for example, to the size or location of the agricultural operations or according to the types of practices carried out. While all farms would eventually be governed by new regulated farm practice standards, the first category to comply with those standards will be newly constructed or expanding large livestock operations. This is simply common sense. What better time to incorporate new technologies around manure storage and handling facilities, for instance, than during the original construction?

But as I have already said, our first step following the passage of this proposed legislation is to go back to the farmers, the environmentalists, the municipalities and the rural residents to develop the standards and the regulations that will make this bill effective in consultation with those who would be most affected by them. We recognize that this proposed legislation would have implications for farmers, municipalities and others, and we are committed to fully understanding those implications.

When I began my remarks, I said that I would like to explain why the government of Ontario is so confident

that the proposed Nutrient Management Act, 2001, is the right piece of legislation for this province and that this is the right time to introduce this legislation. We set out to do the right thing in the right way, and I believe we have done, and will continue to do, just that.

I've often heard the member from Elgin-Middlesex-London comment about lack of consultation. Nothing could be further from the truth, particularly on this piece of legislation. There has been extensive consultation over two-plus years. It's time for the legislation to be passed. The consultation has been very thorough and I'm very confident that we do indeed have a piece of legislation that our government will be very proud of. I'm sure the farmers, once they get working with it and see the regulations, will see how practical it is and will look forward to working within those regulations.

Thank you for the opportunity to speak. I look forward to Bill 81 being passed prior to the Christmas break.

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Mr Toby Barrett (Haldimand-Norfolk-Brant): I wish to debate Bill 81, the Nutrient Management Act, in the context that life in rural Ontario has changed significantly over the years, and agriculture and agricultural operations have changed as well.

I grew up on a truly mixed farm, with a variety of crops. We had dairy, beef, broilers, I had a laying hen flock, and we had a few hogs—a six-sow barn, with six or seven piglets and, by the end of the year, maybe 100 piglets. Actually, as a youngster I wasn't counting; my job was to shovel, in those days. But at that time we had six sows and we were running 600 acres. Today, just to use this by way of example, we're now seeing operations of 2,500 or 4,500 hogs, perhaps on 600 acres; sometimes on less, sometimes on more.

There have been concerns, and in some cases there have been conflicts between farming and non-farming interests. Our government has made it a priority to find a way to address these concerns and determine balanced solutions that would recognize both the required economies of scale and the productivity that's so necessary in agriculture today, while at the same time meeting the needs of rural and small-town Ontario.

In the fall of 1999, I became involved in the Huron county hog farm debates as parliamentary assistant to the Minister of the Environment. As recently as just last Friday in my constituency office, I continue to hear from both sides of that debate, in this case with respect to a large hog operation planned in Norfolk county.

For the last three years, I've been meeting stakeholders and chairing the meetings across the province that we've heard about this evening, meetings originally on intensive farming and, subsequent to the Walkerton situation, nutrient management in general and its effect on the quality of our water in the province.

Farmers and non-farmers alike have concern about the environmental effects of intensive agricultural operations, most notably the effects on water. Farmers, municipalities and environmentalists have also been telling us for quite some time that provincial legislation is needed.

Again, people have raised other environmental and quality-of-life issues. Questions come up. For example, "Will my property values be affected by odour or dust emanating from some of the larger operations?" What came up at these meetings in many cases was, "As a society, what role do we want agriculture to have in our community?" Another question that came up: "Does agriculture receive special treatment when its impact on the environment is measured?" With respect to that question, by the way, I can answer that one right now: most definitely not. Over the course of these consultations, I took the opportunity to address that question when it was raised. Very clearly, no one in Ontario has the right to pollute, and this of course includes farmers.

No matter where we live in the province and no matter how we earn our living or where we spend our leisure time, each and every one of us is subject to the same regulations and the same laws that prescribe penalties for polluting. However, farms, in order to remain competitive, continue to get bigger. Fifteen years ago, there were close to 13,000 hog farms in the province; today, about 3,500.

Just as the typical farm is changing, so too is the public's long-standing perception that views the farmer as steward of the land. A more commonly held community view these days is that some of the more corporate farms make management decisions with less concern for the environment or the community than would a family farmer. This is an issue that needs to be debated; it needs resolution. A bit of public information is certainly required. This is part of our goal. That goal can partly be achieved through the development of comprehensive legislation and regulations that balance the rights and needs of the farmer with those of rural residents, rules and regulations that also safeguard our water, our air and our land.

Last year I co-chaired the task force that was mentioned this evening. I co-chaired with the member for Northumberland, Doug Galt. We held meetings with more than 700 people, we listened to 140 presentations, 200 written submissions came in and 400 completed questionnaires were submitted. We heard from people on all sides of the issue. The hearings were kicked off in Burford, down in my riding. We travelled on to Glencoe, Clinton, Orangeville, Chesterville and Hastings. Delegations were also received at both the Rural Ontario Municipal Association and the Association of Municipalities of Ontario. We have heard from municipalities at every stop along the way because, to date, municipalities are on the front lines. Municipalities are grappling with these issues through building permits, minimum distance separation guidelines, official plans and, in many cases, nutrient management bylaws.

More recently, we saw another round of hearings across the province of Ontario. This September I was asked to chair provincial consultations, an all-party tour by the standing committee on justice and social policy. We first went to Caledonia, on to St Thomas, Chatham, Holmesville—down in Huron county—Owen Sound,

Kemptville, Peterborough, North Bay, and hearings were also held in Toronto. We heard submissions from 150 different groups and individuals. Again, I travelled with the member for Northumberland, as well as the member across the way from Elgin-Middlesex-London, as well as MPPs from all three parties.

What we hear from Ontario farm organizations is that they support the need for provincial legislation that would enforce standards for all agricultural operations. We all know that farmers traditionally have been good stewards of the land and are viewed as caretakers of our air, water and soil resources by voluntarily employing environmentally sustainable practices. For example, more than 16,000 farmers have developed and implemented environmental farm plans to enhance their stewardship, and where there were costs associated with those enhancements, farmers met them. Farmers do care about the environment and take care of their land, and they agree that provincial legislation is required, in particular to deal with those who perhaps choose not to operate in an environmentally sustainable fashion.

Our government has been working with stakeholders for some time to limit any of the negative effects on the environment from agricultural operations. The process began in many ways with these voluntary undertakings, such as environmental farm planning and the adoption of best management practices. In the meantime, interim control bylaws regarding nutrient management have been developed and are in use in many municipalities. However, the need for provincial legislation is key to ensuring not only clarity but also consistency across our province.

Currently, the land application of materials is governed by an array of legislative and regulatory provisions, guidelines, voluntary best management practices and what essentially is a patchwork of municipal bylaws and official plans. One thing I noticed throughout the extensive consultation sessions was that although there was a tremendous variety of solutions and approaches, there really was no single approach that addressed everyone's concerns.

Economics, technology and demand are certainly encouraging ever-larger farming operations.

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As I stated before, there is a community view held in many areas that some of the more corporate farms make management decisions with less consideration for the environment or the community than would a family farmer. As well, a large number of animals in one place raises concerns about the ability of certain soil types or topography to absorb and retain nutrients. For example, down my way in Norfolk county, county council is meeting late tonight, as we are, to deal with a couple of large hog operations that have been approved municipally on the Norfolk sand plain, operations that are in the process of being built near the town of Simcoe's source of drinking water.

As well, when you get a proposal like the one we're dealing with in Norfolk county, it gives rise to a number of myths and half-truths that are out there relating to

nutrient management. For example, it should be pointed out that hog operations do not lead to the type of E coli problems that we saw in Walkerton. My office certainly has received a number of calls concerning E coli. We take the opportunity to set the record straight that while dangerous E coli has been found in some cattle, it is not found in hogs.

Resolutions to conflicts surrounding intensive farming and other environmental concerns are needed. That's why I feel very strongly about the implementation of this act. This legislation will not only safeguard our water supply but will also ensure the continued sustainable prosperity of our agri-food sector, which, as was mentioned earlier, is a key contributor to Ontario's economy.

Research has been conducted as to how other provinces, American states and European jurisdictions have dealt with these issues. Other areas are following a variety of approaches, depending on the state of the environment, the planning and regulatory framework, and the diversity of their agricultural industry. For example, the Netherlands, Denmark and Quebec have all developed legislation that includes strict limits on the number of animals per farm and requires remedial plans. In both the provinces of Manitoba and New Brunswick, their framework requires proactive management by farmers and government to address concerns about intensive operations.

The difference in environmental rules from jurisdiction to jurisdiction can have unexpected consequences. For example, a Guelph study last year found that 88% of Dutch dairy farmers who recently moved to western Ontario cited Dutch environmental rules as being a major reason for their decision to move here.

The Nutrient Management Act does respond to the consultations that Dr Galt and I held last year and the consultations through the standing committee hearings that I chaired this fall. In addition, last winter I had the opportunity to attend many, many farm meetings down in my rural riding of Haldimand-Norfolk-Brant. The issue of nutrient management was front and foremost at many of those meetings. Many of the concerns that I heard centred around the idea of everyone being treated equally. Of course, I heard about the costs associated with conforming to new standards. This is a concern, for example, with cow-calf operators running a herd out of a barn. Some are the kind of barns I have on my land, an existing hundred-year-old barn, and there are concerns to upgrade those facilities to new standards. I know that last winter this was of particular concern to the Haldimand County Cattleman's Association. More recently, in our hearings, that concern locally came forward from the Haldimand Federation of Agriculture when we held meetings in Caledonia.

While farmers agree that provincial legislation is needed with regard to nutrient management, many fear the costs associated with complying. There is a concern that new standards will force many out of business. It's my understanding that our government will work with stakeholders to examine all the implications to farmers,

as well as the implications for municipalities and others, as the regulations are developed.

The Nutrient Management Act will set clear new standards for all land-applied materials—materials relating to agriculture, of course, such as livestock manure and commercial fertilizers, but in addition, standards will apply to municipal sludge, the issue of septage, and industrial pulp and paper biosolids. Under this legislation, municipal responsibilities would be clarified and new standards would replace the patchwork that I made reference to before.

It would also allow for the creation of local advisory committees. This is something that I advocate for and feel very strongly about. Local advisory committees can also promote the awareness that is required with respect to the new rules and mediate local nutrient management non-compliance-related issues. This is important. We have also done a great deal of consulting on this issue, but it is vital that we continue to maintain these strong contacts with stakeholders, for example, as regulations are created, so that we can be kept apprised of any changes or issues that may arise in the future from this legislation.

We must also allow the public to continue to be a part of the process. In doing so, farmers, environmentalists, municipalities and the general public will support this legislation. No matter where we live or how we spend our leisure time, I think we all realize that clean air and clean water are things we all cherish.

As our government moves forward with the implementation of this bill, we must continue to research, study and understand new technologies and new approaches to nutrient management to ensure we don't fall behind. I think of a lot of the groundbreaking work that's being done with composting, by way of example. Time and again, I have certainly explained to my constituents that this is a complex issue. It does have far-reaching impacts. I continue to consult with stakeholders in order to get this piece of legislation in place. As I mentioned, I began meetings three years ago, and as recently as last Friday I continue meetings.

While we await passage of this legislation, our government continues to introduce measures aimed at ensuring environmentally sound decisions for all of Ontario's farm operations. In my riding, Haldimand-Norfolk-Brant, very recently I was pleased to join the member for Oxford, Ernie Hardeman, to announce funding for a detailed groundwater study. This money will flow to Norfolk county to conduct a groundwater study on the Norfolk sand plain, a sand plain that bridges the counties of Norfolk, Haldimand and Oxford. The study will help map wellhead protection, an issue that is certainly of great concern to people in the town of Simcoe: to map areas where municipal wells are located and to identify other sensitive groundwater areas and catalogue potential risks. Contaminants will be inventoried and surveys will record how water is used. Aquifer recharge and discharge areas will also be mapped. This information will help the municipalities down our way develop and implement protection strategies at source.

I will add as well that this money is part of the largest single investment in groundwater source protection in the province's history. In fact, Environment Minister Elizabeth Witmer, who is here this evening, announced \$10 million in funding for municipal groundwater studies this past August.

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I mentioned the large operations being planned in Norfolk, outside of Simcoe. In the absence of a Nutrient Management Act, some residents of Norfolk and recently the Norfolk county council have requested environmental assessments. As these assessments are usually reserved for larger industrial operations, I have taken it upon myself to request from our Ministry of the Environment that a special designation be in place so that the numerous requests for environmental assessments could be considered. Again, this is a measure, perhaps a desperate measure, on behalf of people because they feel the municipality and municipal jurisdiction is not enabled to deal with some of the serious problems that are perceived in that area; hence the need for the passage of this particular provincial legislation.

As I chaired committee hearings to consider amendments for this legislation, I was very pleased to see an amendment—

Mr Steve Peters (Elgin-Middlesex-London): What happened to the Liberal and NDP amendments?

Mr Barrett: I'll make reference to—it's a government amendment, actually, not an amendment from the other side.

Interjection.

The Acting Speaker (Mr Bert Johnson): Member for Elgin-Middlesex-London, come to order.

Mr Barrett: I hear the concerns from the member from Elgin-Middlesex-London. In fact, the member and I did travel the province recently on these hearings. I do wish to focus on, albeit a government amendment, an amendment that was passed. I wish to quote this amendment. I think the wording will allay some of the fears that people have, and the concern for the unknown with respect to what's under the ground and what our water is doing:

"(r) [requiring] that studies be conducted in relation to the use of materials containing nutrients on lands, including topographical studies and studies to determine soil types on those lands and studies to determine the depth, volume, direction of flow and risk of contamination of water located on, in and under those lands."

Further, this amendment says:

"(r.1) requiring that the studies mentioned in clause (r) be conducted by a person who has the prescribed qualifications;

"(r.2) requiring that the recommendations, if any, contained in the studies mentioned in clause (r) be followed in the use of materials containing nutrients on the lands being studied."

It's a lot of legalese, I admit, but however it is worded, this amendment is an important part of the legislation, again ensuring that we can make decisions on the impact

of any farming operation or any operation that, for example, is spreading municipal sludge on land, spreading pulp and paper biosolids, or spreading septage. Studies can be in place to explain to residents where the water is under the surface of the land, where the water is flowing, and to what extent the spreading of nutrients may have a detrimental environmental impact on that water.

I am eager to see Ontario aggressively protect the quality of life that we all enjoy, and I'm just as eager to see our province continue in its leadership capacity when it comes to environmental stewardship. Bill 81, this Nutrient Management Act, responds to the concerns of stakeholders. The response is in keeping with what I have heard, what Dr Galt has heard, and what Steve Peters has heard over the last few months. We feel, certainly on the government side, that this legislation ensures that Ontario's future will include a competitive agri-food industry that provides us with safe, high-quality food, food that is produced in a clean and healthy environment.

I thank you for the opportunity to address this legislation.

The Acting Speaker: Comments and questions?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I listened with considerable attention to the presentation of the two government members on this nutrient management bill. I guess one of the concerns I had is that as they addressed the number of issues of concern that had been raised during the course of the hearings, they neglected to mention that members of our caucus had put forward amendments which they felt would address a number of those concerns, and all those amendments were voted down.

One of the issues raised by the last speaker was the fact that Bill 81 says the government may introduce regulations. Members of our caucus felt it was very important that farmers, as well as all those who are concerned about the environmental impact of nutrient management, understand what those regulations would be before the bill is passed into law. There are a significant number of unanswered questions that should be addressed before this bill is passed as basically a blank slate for government regulatory activity.

One very crucial example of a regulation that needs greater clarification is the question of whether or not there are going to be different regulations for different-sized farms. This is a one-size-fits-all bill as it stands now, and one-size-fits-all policies are not going to do justice either to the environmental needs of nutrient management or to the realities that face farmers.

The member for Haldimand-Norfolk-Brant spoke about his recognition of the fact that this bill could entail some hardships for farmers but that he was assured his government would work with farmers in order to manage those hardships. We are less confident about that, because we've seen too many situations—the other one being earlier this evening, the food safety bill—where the expectation is that the farmers themselves are going to pick up the added costs of the government's new-found environmental consciousness.

Lastly, we're very concerned about the openness to privatization that this bill, amongst so many other bills presented by this government, presents.

Mr Bisson: I listened very intently to the minister, the parliamentary assistant and the honourable member from Haldimand-Norfolk-Brant, and I still have some of the concerns I had at the beginning of the entire process of developing this bill.

First of all, I think most of us in this Legislature, if not all, agree with the concept of what the government is trying to do with the bill. I don't think anybody argues. The difficulty, however, is that if you take a look at the bill, much of what this bill is going to do is by way of regulation. Part of the difficulty I have is that like many of the bills that have come through this House in the time of this government, they leave most of it, as far as the guts of the bill, to the decisions of cabinet by way of regulation.

We're being asked, as members of the assembly, to vote on a piece of legislation that we can support in principle, but when you look at the details of the bill, much of the teeth of what could be in the legislation and how it's going to operate is going to be done by regulation. I as a legislator often worry when the government does that. It really puts us in an awkward position. I would call on the government to clarify much of what should be covered off in the bill away from regulation into legislation.

The second point I want to make is on the issue of privatization. The bill in itself, I think, gives an ability, if you read it the way it's intended, to give an increasing role to the government to privatize much of what is currently done by way of inspection. I worry about that, because I read the auditor's report, as government members read the auditor's report. What the auditor has said, quite frankly, is that the privatization route hasn't worked for this government. The government has done it under the guise that we're going to save money. We haven't saved money, says the auditor; there's no proof of that. In fact, it's costing us more and we're not any safer. If you look at the whole issue of food management, water etc where we have privatized, we're at higher risk. So I say to the government, I'm nervous about that particular part of the bill, and they should clarify that in their comments.

Mr Steve Gilchrist (Scarborough East): I just want to say very briefly to the member from Haldimand-Norfolk-Brant, once again, that I'm extraordinarily impressed at his grasp of all things agricultural. I'm indeed privileged to serve in a caucus that represents interests, not just in the big cities and medium-sized cities and towns in Ontario, but has, without a doubt, the broadest grasp of the issues that affect farmers and rural communities.

I think the member has clearly laid out the reasons to vote in favour of this bill. I appreciate his comments, and I'm certainly going to be supporting this bill strongly.

Mr Michael Gravelle (Thunder Bay-Superior North): I think that, indeed, this is a very important piece

of legislation. The management of farm waste and other nutrients obviously is something of extreme importance.

The concern we have, and I think it's a very legitimate one, is that ultimately we have a piece of legislation that is somewhat an empty shell. We know, and the government will acknowledge, that all the vital aspects of this legislation will be determined through regulations which will be set down months after the legislation has passed. I do think the people of this province, who I presume are also very concerned about this whole issue, would like to have more details and understand better how the legislation is going to work.

2120

There is also a phase-in period of up to five years for some very vital aspects of the bill. I think that's also a great concern. Certainly the possibility of the privatization of some aspects of this legislation, in terms of training, granting permits, keeping records and setting fees, gives us a little bit of concern as well, because we also believe this is something that should be handled very much by the public service.

We have a piece of legislation that I think we all acknowledge is important. I know that all members of the House worked very diligently on this piece of legislation, and my own colleagues will shortly be addressing some of their concerns. But we think it's absolutely crucial that we understand exactly what is in the legislation before we are asked to support a piece of legislation that's so important.

I trust that the government members who have just spoken would also acknowledge those shortcomings. Legislation in this regard is something the farming community and municipalities and others have been calling for, and I would like to think they would also want to understand better what they are going to see before this is passed into law. Those are concerns we have and concerns we intend to continue to express.

The Acting Speaker: The member for Northumberland has two minutes to respond.

Mr Galt: I was interested in the comments of the member from Scarborough East and his brilliant insight into the comments made by the member from Haldimand-Norfolk-Brant. It was very thoughtful on his part.

I was extremely disappointed in the member from Thunder Bay-Superior North referring to manure as waste. This is a resource. It just indicates his lack of understanding and lack of knowledge of what we're really dealing with.

Then I was listening to the ongoing rhetoric from the member from Thunder Bay-Atikokan, the member from Timmins-James Bay and the member from Thunder Bay-Superior North talking about no regulations. I would challenge them as to which bills they brought forward in their governments that had the regulations in them in advance of the bills being passed. They understand that the bill has to be passed to give the authority to write the regulations. They're trying to get the cart before the

horse. I know what the object is; it's to embarrass the government. But they're not being very successful at it.

I listened to this "one-size-fits-all" from the member from Thunder Bay-Atikokan, talking about the nutrient management plan. That's why it is a nutrient management plan and that's why we're passing this, so it can be a plan brought forward by the farmer and approved by an engineer with the Ministry of Agriculture, Food and Rural Affairs. That's the design of it, so there is some flexibility in it, the ranges from New Liskeard to Chatham to Kemptville, because they're different. Temperatures are different; soil types are different. The kind of sensitive areas and how those sensitive areas are protected or not protected are all taken into consideration. So there's a real lack of understanding on their part of the legislation that's being passed.

The Acting Speaker: Further debate?

Mr Peters: I'll be sharing my time this evening with my colleague from Hastings-Frontenac-Lennox and Addington.

Generally I'm pleased to stand up and speak to a bill. I honestly thought that what we were going to see in front of us tonight was a good piece of legislation. I thought that through the debate and through the opportunity we had at committee, it would be a good piece of legislation. But I look back to September 2000, when I was appointed as critic. We called on the Minister of Agriculture at the time, Ernie Hardeman, to introduce this legislation. We called on the current minister, Mr Coburn, to introduce this legislation. Finally, we saw it. Do you know, I honestly believe we've got to do everything we can to support the agricultural industry in this province. We need to ensure that the agricultural industry in this province is playing on a level playing field, be it from Windsor to New Liskeard to Ottawa to Kingston to St Thomas. We need province-wide rules to govern the operations of agriculture in this province.

I've watched agriculture under siege in this province, agriculture being attacked in an unprecedented way, like it never has been before. We've got business people all across this province, from the number two industry in this province, that are willing to invest money, invest in the agricultural operations in this province and make substantial investments into our economy. Yet time and time again they're challenged, be it at the local level, or challenged in court, as west Perth, like in your own riding. We've got a hodgepodge of bylaws across this province. We've got municipalities that have implemented interim control bylaws, and extended those bylaws. Those bylaws are running out.

Our leader, Dalton McGuinty, our party, and myself as critic have called on the government to come forward with this legislation. We've asked for tough and stringent legislation that's going to protect the groundwater, protect the surface water, but most importantly, protect the environment of this province. At the same time, as we call for this legislation, we need to ensure that we're going to protect the viability and the sustainability of the number two industry in this province.

This legislation has been a long time in coming. We watched the Galt-Barrett travelling road show go around this province and finally come out with a report. We watched Minister Hardeman talk about the introduction of legislation and we watched the minister not introduce legislation, and finally we did see some legislation. The government, though, took an unusual move with this legislation in the spring of 2001 by not going to second reading. They went right out on province-wide consultation.

In a lot of ways I think the government was spooked. They were spooked by Walkerton, and rightfully so, because Walkerton is the defining moment of this government. Walkerton is where we saw the cause and effect of the cuts all across this province and of privatization measures by this government. We saw a government that stood up and said in 1995, "No cuts to agriculture." What happened in July 1995: \$14 million cut out of the budget, and continuous cuts to that budget. We saw a government stand up and say that they were pledged and committed to the environment. What did we see? We saw privatization of lab testing facilities. You know what it led to? It led to the horrible disaster at Walkerton. What happened is that this government allowed the agricultural community to take the fall, to take the blame for what happened in Walkerton. It's truly sad, and to those families, our heartfelt condolences. To those individuals, our sympathies. But you know where the blame lies? The blame lies with this government. Do you know where else the blame lies? It's that this government let agriculture be the fall guy for Walkerton.

2130

What this government fails to recognize—and I see somebody shaking their head on the other side—is that we have a collective responsibility for what we've done to the environment in this province. You can't say that it was agriculture's fault, that it's a municipality's fault, that it's the boaters' fault, that it's the cottagers in northern Ontario's fault. We've all got a collective responsibility. But no, this government has let agriculture be the fall guy, and you should be ashamed of yourselves because you haven't stood up for the agricultural industry.

Look what happened as recently as last week. There was an article in the Belleville Intelligencer about flooding, two blocks of Belleville flooding with raw sewage. But did it make the national news? No, it didn't. If it had been an agricultural operation, you know darned well it would have. But have you stood up to defend agriculture? No, you haven't. You've abandoned them, as you've consistently abandoned the agricultural community since you were elected in 1995.

As we talk about defining moments, I guess this is one of those for me. As agriculture critic, on the introduction of this legislation I called, I spent time, I visited and toured with all parties all nine cities, and I listened to the agricultural community, I listened to municipalities, I listened to farm organizations, I listened to individuals and I listened to environmental groups as we toured

around. There's no doubt that people wanted to see this legislation. But you know, I can't support this legislation and I won't support this legislation. This legislation has the potential to be some of the toughest legislation and some of the most important legislation ever introduced in this province on the agricultural community, the number two industry in this province, or it can be a joke.

There are a lot of parts of this legislation that are no doubt very well intentioned, but there are unfortunately many parts of it, and many parts of the regulations yet to be announced, that are a joke and that aren't going to be in the best interests of the agricultural community in this province. You talk about it and you stand up and say, "Trust us. Trust us. You know we're going to do the right thing." We've seen the way that you've stood up and told the people of this province to trust you, and do you know what? The public's faith in the Mike Harris government is shaken. The public's faith and trust in the Mike Harris government are gone. You said, "Trust us," and we thought, when we were giving you the benefit of the doubt and trusted you, that you were maybe semi-well-intentioned. Well, do you know what? You weren't. You can't trust this government, because this government says one thing and does another. You've demonstrated it over and over again, and my concern is that you're going to demonstrate it again with this legislation that's in front of us tonight.

You've talked about how you want to do the right thing. I've got some serious and grave concerns that you're not going to do the right thing. Once again you're going to break that trust with the people of this province. You're going to break that trust with the agricultural community, you're going to break that trust with the municipalities; but most importantly, you're going to break that trust with the citizens of this province.

I think every one of us, and I can tell you that I personally, wanted this to be good legislation. We wanted this to be legislation that first and foremost was going to be good for the environment; second, that was not going to be detrimental to the agricultural industry in this province. Most importantly, we wanted this to be legislation that is going to be in the best interests of the people of Ontario. But there are so many holes in this legislation, this empty shell of legislation, and it's kind of hard for us to put our trust in you. I can honestly say, and I think I can speak for the New Democrats—maybe I won't; I'll let them speak for themselves—we wanted to play ball with this legislation and we did. You can ask any one of the members. We all tried to work together as we travelled around this province to make sure that this was good legislation. We all listened with open ears to see what was best and to do what was best. We took the blinders off. We tried to see what was going to be best for the agricultural community in this province.

We heard the presentations, we went province-wide. There are a lot of positive initiatives in this legislation, there's no doubt about it. But do you know what? There are a lot of holes in this legislation. We heard the parliamentary assistant to the Minister of Agriculture

stand up this evening and talk about how there were 15 amendments put forward and five of them were accepted. But you know what he didn't say? He didn't say that 10 of those amendments were put forth by the opposition and turned down by the government majority on the other side—amendments that we truly believed would make this legislation better and make this a piece of legislation that would be good for everybody in this province. But the government didn't listen. They closed their ears, they shut their eyes and they didn't listen.

I think the public needs to know why we're not supporting this legislation and why, had some of these amendments passed, we probably would be supporting this legislation. I think every one of you knows. Pull out your dictionary and look up the word "may" and look up the word "shall." Do you know what word appears over and over in this legislation? It is not the word "shall," which means you will do something; it is the word "may," which means you might do something. That is consistently through this legislation, that word "may."

I want to talk about some of those issues, that the government turned down our amendments. One was a very simple amendment: change the word "may" and insert the word "shall" because then the public would have confidence that this was going to be good legislation. We're seeing the public's confidence shaken as a result of the auditor's report last week. The public's confidence is going to be, once again, shaken when they start to understand the ramifications of this legislation, because one of the things is that the minister may delegate other persons or other members or other classes of persons that the minister may deem necessary to enforce this legislation. The Lieutenant Governor "may" make regulations, not "shall" make regulations. What kind of confidence does that leave people with?

2140

I was extremely pleased to hear the minister consistently say throughout the discussions on this legislation that they will consult on the regulations. But it doesn't say they "shall" consult. It doesn't say the Lieutenant Governor "shall" consult. It doesn't say that the Lieutenant Governor "shall" make regulations. It says the Lieutenant Governor "may" make regulations. The Lieutenant Governor may also—"may" again—make regulations in a wide variety of areas—and we heard the parliamentary assistant make reference to this this evening—that "may" provide for the establishment and operation of local committees to assist in doing any prescribed matters. "May" isn't appropriate. The appropriate word is "shall," because every municipality in this province should have these local committees. It shouldn't be, "Well, we might have a little committee." That's irresponsible on the part of this government, totally irresponsible. The word should be "shall."

Again, the delegation of powers: this is a very scary one, and it comes back to Walkerton, how Walkerton is going to come back and bite you and haunt you for ever and ever, because you privatized lab services. You didn't keep control. You didn't keep your finger on the pulse,

on what was going on in this province. You didn't do that. Do you know what's scary about this legislation that we have in front of us here tonight? It is that the same thing might happen, because this legislation, under section 55, delegation of powers, will allow the minister to enter into agreements to deal with the issuing, amending, suspending, revoking of certificates, licensing, approvals and other prescribed work. Do you know what that means? It doesn't mean that government employees are going to be dealing with this legislation; it means that you can contract it out to the private sector. Again, it shows the irresponsibility of this government.

The minister stands up over and over again and talks about food safety and how we've got the best food in the world and that we can virtually feed ourselves, we can be self-sufficient as a province. Do you know what is lacking in this? It's important to instill that confidence in the public sector, but I'll tell you, delegating authority and alternative delivery services do not instill confidence in the public sector. That's a very serious mistake on your part.

The government wants this legislation through by Christmas. It will get through before Christmas. We've certainly worked with the government. We haven't in any way tried to block this bill. We certainly co-operated at the hearing level. We took part in the amendments. But the government didn't play ball themselves. They want us to play ball, but they didn't play ball, because they didn't listen to our amendments, amendments that I think would have strengthened this bill and made this bill better. But no, they didn't play ball. The government will get its way. This legislation will go through by Christmas, no doubt about it.

We talk about trust and the faith we're placing in the Minister of Agriculture. Minister of Agriculture, there's a big weight on your shoulders right now. Every farmer in this province has put his faith in you, that you're going to consult on these regulations. But even some of the agricultural groups are starting to question that right now, that the government's commitment to consultation on these regulations isn't really as clear as they said it was going to be. Part of that is because of those words again, "may" and "shall." This government uses the word "may" over and over again, but they don't use the word "shall." If this legislation said that the minister "shall" consult, it would be much more palatable, but that word doesn't exist in this legislation.

You ask us to trust you. Well, Mike Harris stood up in 1995 and said, "Trust me, elect me, no cuts to agriculture." What a joke. You want us to trust you. Look what has happened with food inspection. You cut the number of inspectors. You cut the budget. Look at what has happened in the animal health lab at the University of Guelph and the University of Guelph agreement. You cut it and you cut it again, and you're going to cut it again this year. We know the minister has to find another 5% in his budget. It's probably not 5%. It's going to be substantially more, because we know the sacred cows that health and education are, and if those budgets are going

to remain intact, which are actually not nearly as sufficient as they should be, then ministers like the Minister of Agriculture are going to have to dig deeper. That means more cuts to agriculture, and you'd break that promise. You ask us to trust you; you told the people of Ontario in 1995 to trust you. Well, we've seen over and over again how you've broken that trust with the people of this province.

Another aspect of this legislation that is blatantly absent—for those individuals who toured around, virtually 99% of the presentations made to us talked about funding. We've got in excess of 50,000 farm businesses in this province, the number two industry in this province, but we have yet to see any comment from the ministry regarding financial assistance. We see no reference in this legislation to financial assistance. We heard no comments at the committee stage dealing with the amendments on financial assistance, nothing—blatantly silent. We know this legislation is going to cost a lot of money to implement, but we know farmers in this province are hurting right now. Be it crops or subsidies from the US or the European Union or Quebec or Alberta, farmers are hurting. You can't put this on the backs of the farmers. It would be totally irresponsible for you to put this on the backs of the farmers of this province. You're telling the farmers, "Trust us," but at the same time we've seen nothing at all when it comes to financial assurances about this legislation.

What are we talking about here? We want to see a viable, vibrant, sustainable industry, but this legislation has the potential to very much stifle that industry. What do we and what do farmers want to see? They want to see long-term capital investment and long-term support from this government, but to date we haven't seen that. I wonder when we're going to see that.

We heard the member from Northumberland earlier talk about the wonderful things the government did last year with their \$90 million, but that just doesn't cut it. Farmers all across this province don't want to see year-after-year bailouts. They don't want to see one-time, knee-jerk reactions. They want to see a long-term plan, a long-term safety net plan. We wait and we wait and we wait for this government and this ministry.

I'll stand up today and assure the farmers of this province that the Liberal Party will have a policy that's going to kick. It will be a policy that's innovative, a policy that recognizes the number two industry in this province. It will be a policy with a long-term vision for agriculture. It will be a policy that recognizes the importance of this industry to the province and does not treat them like second-rate citizens, like some country bumpkins, the way you treat them, because they're not. This is the number two industry in this province. These are individuals who contribute a great deal to the economy of this province, and we're not going to treat them the way you did. So look out, Tories, we're coming at you. We're going to show you what an agricultural policy looks like. We're going to show you a policy that's going to stand up for the farmers of this province and not abandon the farmers, like you have.

2150

We know who's pulling the strings on the other side. Jim Flaherty doesn't care about agriculture. Jim Flaherty makes a financial statement in this Legislature and doesn't even use the word "agriculture," doesn't use the word "farmer." He doesn't care about agriculture. We know he doesn't, you know he doesn't, and the agricultural community knows that Jim Flaherty doesn't care about agriculture, that the Conservative Party doesn't care about agriculture.

You want to talk about Ernie Eves being resurrected like a mighty phoenix coming back from the dead. Well, Ernie Eves didn't care about agriculture either. Ernie Eves is not going to be any different or any kinder to anybody in this province. He's going to put on that kinder, gentler face, but you know what? Ernie Eves is the architect of the slash-and-burn mentality of this government. Ernie Eves is going to be no better. We've yet to hear from some of the other leadership contenders what they think about agriculture, Mr Clement, Mrs Witmer and Mr Stockwell. We don't hear from them on agriculture, no commitment at all. I think that's sad.

We went around the province and toured these nine municipalities, and there are other aspects of this legislation. Septage: within five years, we're going to ban the spreading of septage, which is the spreading of raw sewage, for those of you at home if you want to know. They're going to ban it, but at the same time the government hasn't made any provisions as to what we're going to do with it. We have cottages in northern Ontario, we've got farms and homes all across this province on septic systems that are pumping septage out. The government's going to ban it, but you didn't say what you're going to do with it. What are we going to do, create new pollution control plants across the province? Well, we haven't seen the OSTAR applications being approved. What are you going to do, compost it? Well, where are your composting initiatives?

The question of biosolids, waste that has been treated already at a pollution control plant, wasn't adequately addressed. Again the government doesn't come forward and say, "If we're not spreading on the fields, what are we doing with it?" What are you doing with it? Tell us.

Another aspect of this legislation that we're supposed to deal with is pulp and paper sludge. We heard very little in our hearings across this province about the question of pulp and paper sludge. What are you going to do with it? Are you going to continue to treat it like you are right now with this product called SoundSorb and build berms for gun clubs all across this province? We've got problems in Madoc. We've got problems in Oshawa. We've got 14 gun clubs in this province using this SoundSorb because the irresponsible Ministry of the Environment says it's not a waste. But it is a waste. This is supposed to be addressed in this legislation and it is not adequately addressed.

There are a lot of faults with this legislation. As I said in my opening comments, we need a level playing field across this province. We can't have a patchwork of local

bylaws. But if we're going to have legislation that is province-wide and have province-wide standards and regulations and province-wide enforcement, we need a piece of legislation that is strong and effective. This legislation isn't that. I thank you for your time.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): It's very important that I have the opportunity to speak to this piece of legislation on nutrient management. As we all know, it has significant impact for the province but most particularly for rural Ontario. The part of the province that I represent is rural Ontario. I've always been very proud of my rural roots and really am very privileged to have an opportunity to speak to rural interests in this Legislative Assembly, so I will do my very best to relate, on behalf of the people I represent, the reasons I am not able to support the legislation as it has been presented in this Legislature this evening.

When I was first elected to the Legislative Assembly, one of the first constituency groups I heard from was the agricultural community. There were many issues they brought to my attention, and certainly among them were issues related to nutrient management. What the representatives of the agriculture community were saying to me was that across the province of Ontario there was basically a patchwork quilt of standards. Some communities had standards, some had only a few and some had none at all.

Of course, that was problematic for the farming community. As farmers perhaps moved from one community to another or owned farming operations in more than one municipality, they came to understand that there was not one standard to which they were accountable, that different municipalities had their own.

When I spoke with municipal representatives about this problem, they would indicate to me that there was no direction from the provincial government to assist them, to have them understand what they should have in place that would be fair and reasonable and would enable them to protect the community they represented and ensure that the residents in their communities were safe.

It was obvious to me at a very early stage that the management of waste from farming operations particularly, but not exclusively, was an issue that needed to be addressed in legislation. As my colleague the member from Elgin-Middlesex indicated earlier in his remarks, the Ontario Liberals have advocated for this legislation for years—since the last election—so it was with some hope when the government said they were bringing it forward. We'd been waiting for many, many months—I think it was upwards of two years—for the government to bring in this legislation. The government had done some consultation across the province and kept promising that legislation would come, but we waited some significant length of time before that happened in the spring of 2001.

What Liberals had advocated prior to the introduction of the legislation was that the government had a responsibility to assist municipalities and those involved

in agricultural operations to set a standard for the province so that all participants would understand what the expectations were in terms of managing the waste. There was also the issue that we thought was very important and must be addressed: that whatever the legislation would look like, it should not come at an additional cost to the farmers or to the municipalities.

At one point I heard from a number of municipalities that had a great concern that whatever standards were implemented, there was going to be some financial burden placed on municipalities to ensure that farming operations within that jurisdiction were in compliance. Farmers also did not believe it would be appropriate that any new legislation would penalize them financially. So the Ontario Liberals advocated that whatever legislation would come in, it should be sensitive to those issues.

Finally, we have advocated, even prior to the introduction of the legislation, that it had to be enforceable and that the enforcement was the responsibility of the government, that it was not something that should be downloaded to municipalities or privatized but that because of the significance of the legislation within communities, the government most definitely had a role in the enforcement.

Those were some of the guiding principles that we as Liberals had commented on, either by way of letters to the minister—I personally had written a letter to Dr Galt when he was doing some consultations around the province. I know that in this Legislature Liberal critics had repeatedly pressed the government for action, with a very clear indication that these were standards and principles we were hearing about within our ridings and we were hopeful that the government would recognize they were worthy of consideration when legislation was being written.

2200

Last spring Bill 81 was introduced, and for a short period of time we were happy. We said, "Finally. We have something here that our communities have been calling for that's going to assist the agricultural community, the municipalities, and provide safer communities for all Ontarians." Sadly, though—you know the phrase "the devil's in the details"—when we began to read the legislation, it became clear to us that "My gosh, this isn't really what we've been asking for at all."

We had also very regularly advocated that because of the significance of the legislation and the broad impact it would have within communities, there should be considerable public consultation on the bill. Over the course of the summer, that did happen. You heard earlier my colleague the Liberal critic for agriculture talk about the many locations he visited, along with the committee, to listen to the hundreds of people who took time to comment on the legislation. I think it's a fair comment for me to say that of the hundreds who came forward, who were able to say they were very happy that finally they had something to talk about, they did come forward with objections, concerns, ideas, notions and proposals for the government to consider to make it better legisla-

tion. Hundreds of people came forward, and I would say there were very few of those hundreds who suggested that the legislation is just fine the way it is.

We heard earlier this evening from the member for Haldimand-Norfolk-Brant, who indicated that after that exercise, after all that input was received—the hundreds of people who took the time to make the presentation at the committee, the hundreds of people who provided written submissions—after all of that, the government made five amendments to the bill. The Liberal Party offered more than that, and every amendment this party offered the government for consideration to make this bill a better piece of law was dismissed out of hand—dismissed out of hand.

That is why I'm here this evening, ladies and gentlemen, as a rural member, a voice of rural Ontario, trying to explain—

Mr John Gerretsen (Kingston and the Islands): You are a strong voice.

Mrs Dombrowsky: Thank you. I'm so proud to be a voice of rural Ontario. I'm trying to have the people of rural Ontario understand how a rural member can stand in the Legislature this evening and speak against this bill, because we believe it's very flawed. We've offered a number of amendments that indeed must be considered before it is enacted as law.

I wanted to offer, just for the purposes of this discussion, some examples of amendments that we believe are absolutely essential to make this piece of legislation work well—not just work well, but amendments that are integral to it working at all. It was proposed by the Ontario Liberal caucus that they must remove provisions in the bill that will allow the government to privatize vital nutrient management inspection, administration services and training services. We have seen, in so many other bills by the government, with regard to health and safety and so on, that the privatization agenda of the Tory government threatens the well-being of our communities. That's not just "Liberal rhetoric," that so regularly gets thrown back at us. That is confirmed as recently as last Thursday in the auditor's report. The safety of Ontarians is being compromised because of the privatization of services.

Here we have another piece of legislation that is going to enable a ministry of the government to privatize services that are essential in our communities. We, as Liberals, are saying, "No, we have to learn the lessons of society. We have to listen to those arm's-length agencies that are providing some pretty sobering facts to us and saying, 'Pay attention to this, ladies and gentlemen. You have an obligation, a responsibility to the people you represent to pay attention to these facts.'" That's what the auditor told us last week and that's the point the Liberals were trying to make with that particular amendment.

We also recommended that the government be forced to implement regulations to protect our water. Instead, Bill 81 essentially still states that the government "may" introduce this legislation. You heard my colleague the member for Elgin-Middlesex-London speak repeatedly to

that very point, that in the body of the legislation there is nothing prescriptive that says the government "will" or "must" in order to ensure the safety of our communities, but simply that the government "may." I think we all know that legally that is the word they need to get them off the hook. That was another amendment the Ontario Liberals put forward.

It happens to be the case that the standing orders of this assembly do not permit amendments that will include spending by the government. That's part of the standing orders and I'm sure it's there for a very good reason. But that has prevented the Liberals from addressing the concern we've had, the concern we've heard from our constituents about a very serious issue, and that is the financial impact it will have on our communities.

I've heard from farmers in my community who say that the bill, if passed and enacted as written, will essentially put them out of business. As a matter of fact, I attended the hearings this summer when they were in Kemptville and this is a matter of public record if you would care to review it. I don't have the Hansard in front of me, but a very good friend of mine and the president of the Ontario Federation of Agriculture for Frontenac county, Mr John Williamson, made a very effective presentation. He tried to explain and have the members of the committee understand how and why the bill, if passed as written, would present significant hardship for many of the membership he represented, and not just the membership but also him personally. He said it would basically be the end of his family farm. This is a man who had a career and retired and returned to his family farm. He's there with his family. I'm sure he would have the hope of perhaps one day passing it along to his son. However, he very clearly stated at those hearings that this probably wouldn't happen if this becomes law, because he will be out of business.

Without the kind of financial support Ontario Liberals have recommended the government should consider when considering this legislation, providing something in the legislation that addresses that issue of providing resources for farmers, or enabling them to enter into some program of discussion or debate or dialogue about how they can manage to phase in their operation—there's nothing of that in the bill. I think I have a responsibility to reiterate what my friend and constituent shared at the hearings and with me personally. So this is another example of where this bill has some serious shortcomings.

2210

We heard earlier as well from my colleague, who is so very committed to being an effective advocate and voice for the farming community in Ontario, that while there are many in the agriculture industry and among municipal representatives who are calling for legislation around nutrient management, there are many in those folds who have very serious concerns about what they don't see in the bill. We've heard other members talk about the fact that so much is being left to be written in regulations. I think that with very good reason we on this side of the House are very fearful when we hear those

kinds of qualifiers about, "It's not there but it's going to be written in the regulations." I thought it was interesting that the member for Northumberland talked about the farming community, that they might not be too sure about it but, I think his statement was, "Once they get working with it and see the regulations, they'll warm up to it."

That really, in my opinion, shows a lack of respect for the people you hope to assist with this: "We want to help you and we're putting this blanket law out now. There are going to be more details and you're just going to have to trust us on the details." I find it very hard to understand how you could offer that to the agriculture community, particularly from a government that closed all the OMAFRA offices, which sort of brings me to another part of my discussion. They've closed all the OMAFRA offices. Then they say, "But trust us. We don't think you need or deserve those important resources that were in your communities and helped you right on the front line," where it made a lot of sense to have them. You've replaced them with a few centres and you've provided them with a toll-free 1-800 number. But a farmer comes to me and says, "I have this 800 number but I've got this problem with my grain. I need to know what's the matter with it." How can you explain it over the phone? He used to get that service at the OMAFRA office in his community that's been closed by your government. These are the people you're now asking to trust you with the regulations.

This is a government that has cut the Ontario Ministry of Agriculture, Food and Rural Affairs. This is a government that has privatized many services that impact on our communities. We've heard the auditor talk about food inspection and the very serious situations that could arise from that. Also, the management of this legislation is not clear in terms of responsibility or jurisdiction. Will it be left to agents with the Ministry of the Environment or the Ministry of Agriculture, Food and Rural Affairs? I would suggest that the Ministry of the Environment, which this government cut by 46%, fired 900 employees out the door—

Interjection: Nine hundred?

Mrs Dombrowsky: Nine hundred, as my colleague from St Catharines regularly reminds us. Shamefully, they did that. There are fewer people now to carry out this very important work. Who is going to do that?

While it would be very nice to be able to stand up, certainly as a rural member, and talk about a bill that we could support because of all the things it was going to do for the farmers in our community—I very much would like to do that. But unfortunately I don't see that in this legislation and it prevents me from standing up and supporting it at all. That disappoints me, because I told my constituents that that's what I was going to be advocating for. It is very difficult to say to them, "Well, there's a bill; there will be a law, but it really doesn't mean a whole lot. What's it going to do for you? We really don't know, because do you know what? We haven't seen the regulations." That's a shame, because

this is a community that is a significant contributor to our society.

I drive from my home in Tweed to Toronto along the 401. There was a great billboard on that highway. It said, "If you ate today, thank a farmer." I thought that was a pretty important and accurate message. While many of us here perhaps are not directly related with the farming industry, I am, in my community, happily. I know many farmers, and our son is studying agriculture science, so I am keenly aware of the significance of that industry. I think it is a sign of disrespect that we have these key contributors to our society who have called, who have literally begged for some good legislation to help them do their job better and safer within their communities. This is what they have. It really is disappointing, particularly after the fact that the government went to nine different locations across the province and talked to hundreds of people who gave them a myriad of ideas of ways to improve the legislation, and it didn't happen.

We have here before us tonight for consideration a shell of a bill, a bill that has, as all government bills have, a pretty catchy title and one that the average person, upon reading it, would think, "How could you oppose it?" Very simply, when you read the bill, you come to understand that there isn't anything here to support, other than a great big, "Trust me." I'm sorry, I don't think that's fair to the people who this bill is intended to help. I don't think that's responsible government, to say, "Oh well, we're going to say that this will happen, the details of which—stay tuned. Just trust us; it will happen."

I also wanted to speak about the fact that when I make some comment about the "Trust us," there are a lot of things that we don't know about yet. These are things I've been hearing about from my constituents. Here are some of the questions that this bill doesn't answer. Members of the government think, "How can you not trust us? You're silly not to." Here are some of the things that the bill is silent on, that many members of my riding, many constituents of mine, have asked me particularly, "Will it address this issue?"

For example: what does or doesn't constitute waste? Not in the bill. The title of the bill is nutrient management, but what is a nutrient? Not in the bill. What can be spread on fields? Not outlined in this bill. What does that tell the farmers? What is required as part of a nutrient management plan? I have a number of farmers in my riding who have them. I have many who don't, many who would like to have. What does it look like? What does this bill say it should include? We don't know. It is not in the bill. "Trust us, we're going to tell you that." Should there be different standards for different size farms? Not in the bill. It is not outlined here. When should these farms in categories have to meet the requirements? What kind of storage will be required? How should that storage be built?

These are, for people in the industry, very important questions. For many people in my riding who are considering an investment—that's the other thing: we're not talking about spending \$20, \$100 or \$1,000; we're

talking about tens of thousands of dollars of investment in their operation. They're very hesitant to make that investment until they know what is required. Is it in the bill? No, it is not. It's going to be in the regulations. When are we going to hear about the regulations? We don't know when the regulations are going to follow. How much manure can be spread? When? What kind of soils?

2220

Another issue that has come to me from constituents relates to minimum distance separation. Not in the bill. There are many communities in my riding in rural Ontario where subdivisions have sprung up in our rural municipalities. The people have bought in these subdivisions and then suddenly they come to understand that, gosh, in a farming community at a particular time of year, the odours can be quite unpleasant. Now municipalities in my riding are wrestling with and struggling with the issue of minimum distance separation. It's not addressed in the bill.

What training or certification will be required to both store and spread nutrients? What will be the fees? Who is going to administer and enforce the bill? Is it going to be the Ontario Ministry of Agriculture, Food and Rural Affairs? Is it going to be the Ministry of the Environment? Is it going to be a local advisory committee, as has been suggested? Is it going to be the private sector?

I would suggest the member has his back turned and perhaps isn't even listening. I don't think the members of the government have listened, sadly, to either this debate or the debate that has taken place in the nine locations where there were hearings. It is really unfortunate that the government had an opportunity to do something right and they chose not to. I'm particularly disappointed for the people in my riding, my constituents, who were really depending, were counting, on some direction, some assistance and some support on an issue that's very important, not just to them but, I would suggest, to all of us, because it relates directly to the safety of our community.

Those would be all the points that I would have to make on this bill this evening. At this time, I would like to move adjournment of the House.

The Acting Speaker (Mr Michael A. Brown): Mrs Dombrowsky has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the nays have it. Call in the members; this will be a 30-minute bell.

The division bells rang from 2223 to 2253.

The Acting Speaker: Mrs Dombrowsky has moved adjournment of the House. All those in favour will please stand and remain standing until counted by the clerk. Thank you.

Those opposed will stand and remain standing until counted by the clerk.

Clerk at the Table (Ms Lisa Freedman): The ayes are 12; the nays are 26.

The Acting Speaker: The ayes are 12; the nays are 26.

The member for Hastings-Frontenac-Lennox and Addington.

Mrs Dombrowsky: It's important that we've had an opportunity to talk about this. I'm very disappointed that we lost the vote, because I don't think they're really here to listen to what we have to say anyway, so we might as well spare everyone that experience. But it's very important that people understand why we are opposed to it.

The Acting Speaker: Questions and comments?

Mr Peter Kormos (Niagara Centre): Here we are at five to 11, but in around four or five minutes' time the folks out there are going to be able to hear from the NDP environment critic in this matter, Marilyn Churley, who's going to be addressing Bill 81. She was one of the people who, on behalf of the New Democratic Party, was very active in the committee. She, if you look at the record of that committee, made every effort to fix what ends up being an incredibly flawed bill as a result of the government's refusal to accept the motions put forward by Ms Churley on behalf of the New Democratic Party.

That has left this House with the need to debate a seriously flawed bill, one which appears to serve nobody's interests, neither the agricultural community's interests—the government has once again abandoned them—nor those, and this is not exclusive from the agricultural community in this province, who are environmental advocates or anybody who has concern about the environment, and among those I include farmers, people in the agricultural industry, especially family farmers who have been on the land for generation after generation more often than not and have a far more intimate understanding of the need for environmental maintenance and environmental protection than indeed most people do.

Ms Churley will be speaking for an hour to this bill. I commend that people please stay tuned. She'll have the floor in around five minutes' time. I urge and exhort people to stay tuned to this legislative channel. Ms Churley is going to be presenting a thorough analysis of Bill 81. Her caucus is going to be listening carefully to her. I hope, more importantly, that the government is going to be listening carefully to her. That's the market she's addressing. It's you who have to listen and understand what's—

The Acting Speaker: Thank you. Questions, comments?

Hon Mr Coburn: It's really disappointing. We have a serious bill here and we have a serious issue in this province in dealing with our environment and our second-largest industry in this province in that we're trying to set some clear, concise standards that they can work with. They've endorsed and supported that. It is really disappointing that we have the opposition and the members opposite playing games with this.

This is a bill that we consulted on extensively, probably more than any other bill. We've gone out and spent

a lot of time consulting with stakeholders on this bill. A total of 182 organizations and individuals submitted comments and made presentations. There is tremendous interest in this bill going forward.

I heard the member on the other side complaining that this wasn't in the bill and that wasn't in the bill. It's enabling legislation. That's the big, positive part of this, working with our stakeholders, whom we continue to work with to develop the regulations around this, so that we can work to develop a good, solid piece that will carry this industry so that farmers can make an investment and have some confidence in making that investment in moving their business along.

This is no different from some other decision points farmers have had to make during the course of their business lives where new technology has come in. This is enabling legislation, but it also has a clause in there that embraces new technology. Technology, as we all know in this House, has outstripped government's ability to respond and take advantage of some of those new technologies. This bill enables us to do that. This is a bill for the future of agriculture and environmental sustainability.

2300

Mr Richard Patten (Ottawa Centre): I listened very carefully to my friend the member from Hastings-Frontenac-Lennox and Addington. She spoke quite eloquently, in my opinion, about the concerns and worries of things.

I would like to say this to my good friend from Ottawa-Orléans, who I truly believe is a good person and has a heart.

Mr Barrett: He's a nice guy.

Mr Patten: He is a nice guy. I think he tries to do his very best.

This bill attempts to address the implications related to groundwater, the runoff to streams and rivers and one thing or another, which are extremely important. The one thing it does not do is that with all of the stuff that is dumped on our lands to grow food, there's nothing in this bill that talks about what goes into the fruits and vegetables that are grown on this land—nothing. We have all this waste.

The government is saying maybe they will talk about a moratorium for five years to talk about not dumping human waste on our farmlands. I say to you and to every single member, listen to this, as you well know why I would research this on a personal basis. There is a transposing element that goes through from waste. People have diseases, they take drugs, they take antibodies, and it goes into human waste. That human waste is dumped on our farmlands to grow our food. What is going into our food? There is no research at all that goes into this.

Mr Bisson: I want to echo some of the things the previous member just said. I would agree that a number of problems we have are that we really don't have the kinds of safeguards to assure ourselves that the foods we eat in the end are not foods that are carcinogenic or carry a multiple of other diseases. This is not something that's

this government's fault or previous governments' fault. The issue is that we have developed the technologies in agriculture and the technologies of food processing so much that I don't think we really understand at the end some of the implications for the health of human beings when it comes to the consumption of those foods. I think that was a point well made.

I want to say to the minister on another point—I think this was raised by Mrs Dombrowsky in her comments—that on the one hand the minister is telling us, "I'm providing, by way of this legislation, clear and concise rules," but in the next sentence he is going out and saying, "This is enabling legislation." Those two comments are inconsistent with each other. If there were clear and concise rules in this legislation, you wouldn't be putting everything off to the regulations later. That's the point the members were making earlier.

The difficulty we, as an opposition, have is that we agree with the general direction of the bill. All of us were looking forward to being able to work with the government to actually do what would be clear and concise rules when it comes to these issues. Unfortunately, the government didn't accept the amendments that were put forward by my colleague Marilyn Churley, who headed our party on this particular committee, as well as by the Liberal members from the other side. So I say, don't come into the House and tell me that this is going to provide clear and concise rules, because the minister has let the cat out of the bag. It's what we've been saying all along: this is enabling legislation, which means everything is put off to the regulations. There's nothing clear and concise in this legislation. It's really, "Trust me. I'll tell you what will happen later when we pass a regulations."

The Acting Speaker: Response?

Mrs Dombrowsky: I would like to thank the members from Timmins-James Bay, Ottawa Centre, Niagara Centre and the Minister of Agriculture for the comments they've offered. In conclusion, though, Ontario Liberals are very disappointed that we are not able to support this bill. This is a piece of legislation we have consistently called for. The Minister of Agriculture talked about the fact that they had consulted so broadly. But what is most unfortunate is, they have not listened and they have not brought forward legislation that is clear and that provides the kind of clear standard we've been asking for, and that our constituents have been asking for, these many years.

After promising a bill in the spring of 2000, the government has tabled legislation that includes phase-in periods of five years for many of the vital elements of the bill. Furthermore, the bill completely relies on standards to be determined at some time in the future. These are not conditions that we in the Liberal Party think are sound. It's not good business management, and it's not going to make our communities especially safer. If this bill is going to be effective, it must include financial resources. That was another component the Liberals have very regularly and consistently advocated for on behalf of our constituents, the stakeholder groups, the agricultural

representatives and municipalities. It must include financial resources. This bill doesn't. In fact, the government has been totally silent. There's no indication it is prepared to consider any of those resources.

The Acting Speaker: Further debate?

Ms Marilyn Churley (Toronto-Danforth): It's my pleasure to be in the House for the second night in a row, late in the evening, discussing what I believe to be critical environmental legislation. We were here last night, and many of you were here to listen very carefully to all my concerns expressed about the recycling bill, on which I went to committee and made a number of recommendations and amendments, none of which were accepted by the government. I expressed my concern last night that it's a weak bill that's not going to achieve its stated objectives.

We have before us here tonight—surprise, surprise—another important bill, which I and my caucus view as an environmental bill. Even though it doesn't strictly come under my, I suppose you could say, jurisdiction as the environment critic, we have always looked at this issue as an environmental protection issue. That is why I have followed it and went to the committee hearings and went to clause-by-clause and presented my amendments, which were all turned down.

Before I get into the meat of the bill and give the government my analysis of the bill, I have to put on the record the gall of the government. This bill was introduced before the latest auditor's report. The bill before us tonight is a prayer and a promise; it's a framework for down the road. The minister and the government are saying, "Trust us. We'll take care of everything. We're going to make sure this happens." They're still saying this after the auditor's report came out a couple of days ago with a scathing indictment of their ability to protect the food we eat in this province. The auditor pointed out that we are down from 100-plus inspectors in 1995, when the NDP was in government, to eight. That's all we have out there now inspecting our food.

I watched the minister in perhaps his first really difficult scrum with the press outside having to deal with these questions. It is difficult the first time, isn't it? I watched him squirm and have to deal with a very aggressive press around, "Is our food safe?" The government in that case said, "Trust us. We're going to fix these things. Everything is OK." It isn't OK when you read some of the problems that are happening and what we don't know about our food.

This is the food our children eat. This is the food their little bodies take in as they're growing and developing, all those chemicals and pesticides in the food they eat, up to I forget how many more times than is considered acceptable—I even disagree with that level—way above acceptable levels. We know that the food we are eating has not been properly inspected. The government said, "Trust us. We're going to fix it." How are they going to do that unless they take back the money they're about to put into yet another huge corporate tax break at a time when we've gone into a recession and are trying to avoid

a deficit? Where are they going to find the money to fix this problem?

2310

So here we are debating this bill tonight that is totally inadequate, and the government stands up and says, "It's OK, don't worry. This is a framework, but we're going to consult some more and we're going to develop regulations," as opposed to a bill that spells it out so we all understand what is being done here to protect the water that we drink; it's going to come later through regulation.

This bill that we have before us today is about a year and a half later, a year and a half down the road since Walkerton, and we'll all recall why a year and a half ago the government was pushed into coming forward with a nutrient management strategy. They talked about it at that time. I remember that the member for Northumberland, who at the time I believe was the parliamentary assistant to the Minister of the Environment, or maybe he was by then PA to the Minister of Agriculture, went out and consulted, and then nothing happened, and the NDP protested and asked questions in the House. My leader and I asked questions in the House: "What's happening with this? Nothing's happening."

Then they went out and did more consulting and came back, finally, with this very weak bill before us today, which is not going to be able to do the job that we need to protect our water. We believe it's a bill whose purpose is supposed to be to protect our water and our groundwater from farm runoff. That's what the bill is supposed to be about. It's proposed as a mechanism to protect the environment from environmental degradation that results from the use of what we refer to as nutrient-enriched substances that go into our ground on farmland. The establishment of the procedural and enforcement mechanisms for the administration of any regulations or standards developed under Bill 81 is close to or similar to legislation or environmental protection in other areas in Canada. But if you look at it from the point of view of being put there to protect the environment, Bill 81 falls far short of being able to do that.

I'm going to point out to you some of the reasons why. There are no teeth to Bill 81 itself. It is, as I said, a framework to set it up, but all of the teeth come later in regulation. The development of the standards and the regulations is discretionary. That is alarming in itself. That is totally discretionary. The regulations and standards that will be passed have absolutely no timelines attached to them. So even though here we are now, a year and a half after the terrible tragedy in Walkerton which caused this bill to come forward in the first place, there is no time frame to when these regulations and standards are about to be developed.

I started off talking about the fiscal restraint that we're under now here in Ontario. Let's face it. We've been under fiscal restraint in this province for a long time. We were under fiscal restraint when the NDP was in government, even though we at that time chose to protect the environment and continue, for instance, over 100 inspectors inspecting our food and all kinds of other things.

We chose to borrow money to keep people afloat and to protect our environment and the health of the people, to make sure there were homes for people to live in, rent control. All those things were in place, and we were under fiscal restraint. We were borrowing money to keep these people afloat, to keep our food safe, our water safe, doing all these things and trying to create that balance between fiscal restraint, borrowing money to keep people afloat, creating jobs and doing all these things.

One of our major concerns in that was to protect the environment. Under the NDP, the Ministry of the Environment, despite the recession—and I confess, yes, we made the decision to not cut it, as this government did during very good economic times, but to increase the funding of the Ministry of the Environment, to create OCWA, the water board that we created to take care of our water. We moved staff directly from the Ministry of the Environment—I believe it was about 2,000—right into that organization, to that body, to protect our water. We had a very specific fund that went just to municipalities that wanted to improve their water and sewer systems. It was a very large fund.

Part of OCWA's mandate was to work with municipalities that wanted to bring forward plans to upgrade their sewer and water systems, because we saw it as a priority in our government. We recognized that there were problems out there that had to be fixed, and we made a massive effort to begin that process. Interestingly enough, part of that dedicated fund that went to clean, safe water also had a component that required municipalities that were requesting funding to upgrade sewer and water systems, particularly if they were building new systems, expanding systems, to build a conservation system into that new system they were building. I believe it was Collingwood—maybe it was Barrie; I don't have my notes here and it has been a while. Barrie, I believe, got a fair amount of money from the fund and did build a new system and did build water conservation into that system and down the road saved millions of dollars. So it was a win-win for everybody.

But now we're in a climate of fiscal restraint for different reasons. The government came into power in 1995; the economy started to pick up again a bit in 1994. This government came in and promised not only to balance the books, to get rid of the deficit, but also to give massive tax cuts, which we've talked about many times in this Legislature, which mainly benefited the rich, the wealthy and huge corporations. As a result of that, many of our services were privatized and many of our public servants were cut, including the Ministry of the Environment and the very people who were there to protect our water. All these cuts were made across the Ministry of the Environment, if you combine the capital and operating cuts made to the ministry, and I'm not even talking about the Ministry of Natural Resources, which, as you know, has a huge environmental component to it. But 60% combined operating and capital funds were cut from the Ministry of the Environment; massive layoffs. The ability to protect the environment, and therefore our health, disappeared under this government.

Of course now, after all of these massive cuts, we were thinking that finally the government, even though they're borrowing lots of money—you don't hear a lot about that, borrowing money; so there is a debt—to give out these massive tax cuts, the deficit was gotten rid of and people got their tax cuts, although user fees went up dramatically, including tuition and all of these things. The reality is, when we thought the government took care of some of the promises they made around tax cuts and that they would start reinvesting in, for instance, areas like the environment, now we've hit—I believe it started last March some time. We knew that a recession was coming for a while, and September 11 happened to even further complicate the things that were already beginning to happen, the downturn in the economy. Now we're under yet another fiscal restraint where we have a government that is now in a position where it does not want to have a deficit and refuses to raise taxes in any way, so the only thing they can do is to cut services again.

So at a time when a bill like this has been brought before this House, we know when the regulations come forward—the farmers and the farm organizations that came to speak to us all made it very clear, every one of them—and the minister knows this—even those who fully support the bill, that they cannot do this without investment from the government. Perhaps the large farms can because they're more like a big industry. They have higher incomes. But even they said that this is a problem, that the kind of plan the government wants to bring into being would require financial assistance from the government. That money is not going to be there. That's very clear and that's a big problem.

3230

So it's really uncertain. I would say it's pretty clear to me, particularly given the fiscal restraints that we find ourselves in now, and more massive tax cuts, that these resources aren't going to be there to implement and enforce Bill 81, whatever Bill 81 turns out to be when they bring forward the regulations.

I want to talk a bit about why we need this bill and why the New Democratic Party was pushing the government to come forward with the bill. Everybody knows that there are many substances applied to agricultural land in Ontario and we use what we call nutrients to improve the crop production. The sources of nutrients, the beneficial ones, include livestock manure. Basically what we're talking about here tonight we call nutrient management. That is the main focus, particularly after what happened in Walkerton. But we're also talking about biosolids like sewage sludge, pulp and paper sludge, seepage and haul sewage and chemicals. These can vary dramatically; they can also include heavy metals, organic contaminants and pathogens. This legislation before us—and this is important for people to understand—does not deal with those pathogens. It does not deal very specifically with the very issue that we're trying to grapple with here. Putting these kinds of substances on the land, as we well know, impacts our soil, our air and our water. The heavy metals and organic

compounds accumulate in the soil and eventually end up in our food stock and in our livestock.

I just want people to understand that the control of some of these substances that I'm talking about already falls under the Environmental Protection Act and the Ontario Water Resources Act, but some of the substances we're talking about are not regulated at all. It's hard to believe, but some of them aren't. Even the nutrients that we're talking about here tonight, if not managed properly—and we know that's a problem; that's why we're here discussing it—can become very serious pollutants if they're not applied properly, and we know that's happening. That's why we need a very comprehensive bill to protect our water and our land in this province.

Some of the vital elements of the bill, the most important being the nutrient management strategies and nutrient management plans, as I said are not in this bill, so I can't talk about them. I could talk about what I'd like to see and I'll talk about some of the amendments I made to try to deal with that, but they are going to be developed through regulations. I wanted to see, and the New Democratic Party wanted to see, some of those components right in the legislation. The nutrient management plans and the nutrient management strategies at the core of this legislation are phantoms. They're not here. The government keeps saying that that they're finally bringing forward this nutrient management bill, but it's a phantom. There's nothing to it. It's a framework. The nutrient management plans and the nutrient management strategies are something that I believe should be before us so that we all know them and will have the ability to discuss and vote on them in this Legislature. Instead, that's going to be developed behind closed doors. We don't know what those plans and strategies will look like or what they will do, because so much of it is being done by regulation.

I think we're seeing more and more that this is a problem, this kind of framework legislation coming before us with so much of the meat, so much of the heart and soul of what the legislation is going to be doing, left out, to come later. This matters. This matters significantly, because those matters should be the subject of public scrutiny and should be subject to debate in this House, and we're not having the ability to do this.

As I said at the beginning, this is very much a "Trust me" bill. I'm sorry, but that is not acceptable to this party nor, I believe, to most of the people out there, particularly after what happened in Walkerton and after the latest auditor's report made it very clear that we have some very serious problems in food safety and the safety of our water. The very government that brought you Walkerton is now saying "Trust me" when it comes to dealing with farm runoff in a way that will protect our groundwater and our surface water.

Some people in the agricultural community have raised concerns that the bill appears to divide its administrative and enforcement responsibilities between the Ministry of Agriculture and the Ministry of the Environment. I made this clear and I believe the Minister of the Environment—who I'm happy to see is here tonight; I had

the opportunity to ask her about this and I'm sure she'll correct me if I'm wrong. I believe she said that she agrees with me on this, that it should be the Ministry of the Environment enforcing these regulations.

There are some people who are worried about that. Perhaps the fear is that they don't understand—and I heard this on the committee level—the way agriculture works and that therefore they might require things of them that they don't understand and that are unnecessary. Of course I have no problem supporting the idea of having the Ministry of Agriculture being the ones who are out there working with the farmers, doing the educational components and doing the kind of work that helps them establish the practices that they need to establish, but it's very important that the Ministry of the Environment be the enforcers in this.

Having said that, I would say that's what happens. The minister knows what's coming here. Given that the ministry doesn't have the capacity right now to do what it should be doing, what's already in its mandate, because of the massive cuts I spoke to earlier, because of more and more of the privatizing of services—they cannot even keep up. That leaked draft cabinet document, that was leaked to me actually—my leader raised questions about it in the House—talked about the need to possibly hire back up to 500 new staff to do the job properly. What we have is what's called a small SWAT team that was put together quickly, and that was one of the recommendations in this draft cabinet document. But the document talked about such a high percentage of point source pollution in this province that the Ministry of the Environment can't cope with it as things stand now. So adding something new without a special team put in place to deal with this new legislation—I could say to people out there, "Hey, if that's the way it turns out, I don't know who, at the end of the day, the cabinet is going to listen to on this." I know there's pressure on both sides, but my concern is, at the end of the day there won't be anybody really capable of enforcing these rules and keeping our water safe.

When we consider the purpose of the bill—which I did. I looked very carefully, I read carefully, I was at most of the hearings of the submissions that came before us, and based on those submissions and on my perspective of seeing this bill as an environmental protection bill—which is what it is; that is what this bill is all about—I made amendments based on that fact. I made amendments to try to strengthen the bill, beef it up, so to speak, so that at least, even within this framework, there was more clarity around what the bill should be achieving. One of the amendments that I put forward said very clearly that its aim should be "to protect the health of the natural ecosystem by maintaining the interaction of the dynamic complex of plant, animal and micro-organism communities and their non-living environment as a functional unit and in a manner characteristic of the natural region."

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I suppose that might sound like complicated language, as we often come up with for these bills, but the reason

it's phrased in that way is because it was very carefully thought through. It has a very particular and important meaning. It means that while we look at how we're going to deal with this big problem of how we protect our water and agricultural land, we recognize and respect the extreme to which, we now understand all too well, human and animal and the natural environment interact with each other. We can no longer say they don't. We know they do, and sometimes in a very dramatic and tragic way. We have to take an ecosystem approach to the protection of our natural environment.

The purpose of this should be protecting the health of the ecosystem. That's what this was all about. The government brought forward an amendment which gave a purpose for the act, which wasn't there, but it was very minor. That's what they voted for and did not support my amendment, which made it very clear. If you have that overarching, particularly in a bill that is just a framework, to have a very clear definition of the purpose of the bill helps frame the regulations and what comes after in terms of protecting the environment.

The New Democratic Party also sought to incorporate into Bill 81 something I'm sure you've all heard about before—sometimes it's controversial but very important—and that's the precautionary principle. If you want to talk about common sense—I don't use that phrase very much any more, because the whole meaning of common sense has been turned on its ear, turned upside-down. But if you want to hear a good definition of what common sense is all about, it is this precautionary principle. I put forward an amendment to ensure that the act was applied and enforced in a manner such that the absence of full scientific certainty—and I'm talking about full scientific certainty—should not be used as an excuse to justify non-action when every other indicator, including common sense, tells us there's a threat to the natural environment.

That's a very important point that I want to make here, and I want to use an example. I believe one of the government members said "What? Don't you believe in science? Are you trying to say we should do things if the science isn't there to back it up?" We can use all kinds of examples of things that have happened, and I used this example at the committee level. The one we all are most familiar with is tobacco, where there are still those today who will say you can't make the direct link between lung cancer and other illnesses from tobacco. We all know now, beyond a shadow of a doubt, that there is a link, but at the same time it can in some cases be very, very difficult to actually prove beyond a shadow of a doubt the link between some chemicals and their impact on human health.

That's why I made this amendment. It didn't pass, but this is what the amendment said: "To ensure that, in making decisions about carrying out the powers and duties of this act where there are threats of serious or irreversible damage to the environment, the persons making the decisions do not use the lack of full scientific certainty as a reason for postponing measures to prevent environmental degradation."

I would think everybody would agree that if we're talking about protecting the environment, that actually is common sense. What it means is that the health of the people in Ontario is our topmost priority. It has to be. There are so many pressures on governments of all stripes at all times, and I understand that. I've been in government. Even here in opposition there are so many pressures to put other priorities before things like the most basic thing, the most important thing to all of us. If we don't have our health, then in a way nothing else matters.

I guess people in Walkerton can still speak to that. We know that people died and the tragedy of that, and many people got ill. We must not forget that there are people still ill as a result of the tainted water there, and there are parents raising children whom they know are going to have health problems for the rest of their lives; some of them are going to need kidney transplants. This is the legacy of that tragedy in Walkerton. I don't think we need any other examples to argue why we should support a precautionary amendment like this, yet it wasn't accepted. You could say, I suppose, that if Stan Koebel or somebody in Walkerton had acted on the precautionary principle, had acted on the basis of common sense rather than waiting for the 100% scientific certainty, we might not have had the tragedy that we sadly had and that so many people are living with now.

The NDP also wanted to amend the bill—and this came up from many of the deputants who came before us—to make sure it covered golf courses as well. I don't know if people here have any idea how much material is spread on golf courses that may find its unwelcome way—and it does—into our water table. Shouldn't that be a consideration? When I raised it, the government said they did not support it, because, why pick just golf courses; there would be land uses other than agricultural land and golf courses that this should be applied to, so why just pick on them? I suppose I can see their point. Therefore, there should be a list of all the other land uses that should be considered under this act. But I chose golf courses because it was the one raised most frequently and it's becoming such a huge, huge activity in this province. There are golf courses everywhere. Tons and tons of chemicals and pesticides and other nutrients go on that land, and it's a serious concern.

One of the great accomplishments made by this Legislature in protecting the environment was the passing of the Environmental Bill of Rights in 1993. That was when the NDP was in government in Ontario. Some of the members who are in the House, yes, were here then. That was a bill that I'm glad to say passed in this House. It's one of the few things, I believe, that the NDP brought in that the Tory government didn't almost immediately throw out. It was such a good bill and there would have been such a public outcry that the government kept the Environmental Bill of Rights and the Environmental Commissioner in place.

One of the things that happens now, and it still happens to this day because of that law, is that when

projects come forward that have significant environmental impacts, either from the government or the private sector, they have to get posted on the EBR registry so there's an opportunity for public comment. That was fundamentally why we brought forward the Environmental Bill of Rights and why, to this day, the public is able to have a look at all the changes—not as many as we'd like to see posted.

I see we have a new Speaker in the chair. Welcome.

Bill 81 provides for the government to pass regulations without requiring nutrient management strategies and nutrient management plans. That's what we're doing here. These things could very well have an incredible environmental impact. In the interests of putting safety first and protecting the environment and respecting the rights of communities to know what may be happening to the land and especially to the water and the groundwater in their communities, it would be of great value to have nutrient management plans and strategies posted on the EBR registry for public comment before they could be approved. I moved an amendment hoping that might happen. What I suggested was that we classify nutrient management plans and strategies as class II instruments, for the purposes of the EBR act. The government would not agree to that.

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To be fair, one of the things the parliamentary assistant said in response to this was that there will be thousands of these plans, all the way from small farms to the larger ones, and that you couldn't possibly put all those plans on the EBR. That may well be true, but I am sure there can be a way to post some of the more significant ones. I don't think we need all the tiny, little or smaller farms, some of the minor plans, but some of the more significant farms, especially the big farms—what some people refer to as factory farms, intensive livestock, industrial farms, whatever.

Those huge farms in particular are the ones we're hearing the most concerns about, although, let me be clear, and we learned this from Walkerton, it is not just the large farms that can cause these catastrophic situations we saw in Walkerton and that we've seen in other parts of the world. But we also know that the potential for the damage that could be done by runoff from the large farms would be just beyond our imagination, although it has happened in other jurisdictions.

God forbid that the public should be able to have information about this and be able to comment on it. So that was rejected as well.

Section 55 of the Nutrient Management Act is about privatization. It's about privatizing the "establishment, maintenance and operation of a registry" of nutrient management plans and strategies. Section 55 of Bill 81 is about privatizing the role of reviewing these nutrient management plans and strategies. Section 55 of Bill 81 is also about privatizing the "issuing, amending, suspending or revoking of certificates, licences and approvals." That's right: even approvals could be privatized.

I don't know if the Minister of the Environment, who's listening very carefully over there, was aware that

all these activities could be privatized. That would let the private sector approve the nutrient management plans. Why would they put that in there? I just took it for granted that this is so important to the health and well-being of Ontarians that the Ministry of Agriculture would do that. Is it perhaps because, as I said earlier, the funds are not going to be there to do it? So you allow the private sector to do it. They can set the fees however they want to set them, charge as much as they like, and the government doesn't have to worry about it. But where's the accountability?

The New Democratic Party proposed that the privatization clause should be removed from the bill. What's important to point out here is that it is not just the New Democratic Party speaking here. Speaker, you're from the Liberal caucus. Your party did not support all my amendments, didn't agree with all of them. We shared some of the amendments. But this is one we both put. Both the Liberal Party and the New Democratic Party put an amendment. The government defeated both of those amendments.

What it is important to understand here is that we aren't the only ones who made a very clear statement in the hearings as to their views about going the privatization route on this. The Ontario Federation of Agriculture, which generally supports this bill—they and I have some disagreements. That's very clear. I've been straight about that regarding some of the components of this bill. But this is one of the areas we agreed on, perhaps for different reasons. We agree on this. They said the same thing, but the government refused to listen to them as well. So did the Ontario Farm Environmental Coalition. That's an organization that includes the Ontario Federation of Agriculture and 39 other provincial farm organizations in Ontario.

I wanted to read to you precisely what they had to say about it. Sometimes we just have too much paper from preparing to speak to these bills, and I think this is it. I wanted to read specifically what the Ontario Farm Environmental Coalition said about this. Again, they and I do not agree on every component of this bill, we have some disagreements, but they said very clearly:

"OFEC objects to provisions within the bill that will allow the province to delegate several responsibilities to agencies or persons outside of government. This could very well result in a situation where standards may be deemed provincial but will in fact be administered unevenly across the province. To avoid such a situation it is recommended that the Nutrient Management Act be administered by OMAFRA with no outsourcing of tasks, be that as a director ... a provincial officer ... or an analyst.... Similarly, OFEC believes that the government of Ontario should not delegate power for the establishment, maintenance and operation of a registry..., the review of NMPs ... or the issuing, amending, suspending or revoking of certificates, licences and approvals...."

"OFEC recommends"—and this is a major group representing farms all across Ontario—"that none of the powers associated with the proposed nutrient manage-

ment be delegated to anyone outside of the government of Ontario."

They feel very strongly about that for obvious reasons. I was surprised that I was not given a very clear answer as to why the government would allow this clause to remain in there when even those who are very supportive of the direction this bill is taking made it very clear that they do not support that aspect of it. Perhaps the government thought we would get this section of the bill passed, the privatization clause passed, and out of the way before the auditor's report hit the street. Perhaps that's what they were hoping, but the auditor's report is before us now. We have so many examples of what happens when you give away these kinds of responsibilities to the private sector.

Again I want to talk briefly about what happened in Walkerton, the privatization of the labs there and all the reporting mechanisms that had been in place between the Ministry of the Environment, medical officers of health and the local people. That fell apart. It was done quickly, without proper consultation, without requiring them to be accredited. However, in this case the whole operation can be given over to the private sector. Who knows who it will be, what kinds of fees they will be charging people? The concern quite rightly expressed by the farmers in this case is something the government should take into account and reconsider, even though our amendment was not accepted.

Section 56 says that the crown is not liable "for any act done in the execution or intended execution of a power or duty by a person appointed under" this act "who is not a crown employee...." What does that mean? First of all we deal with a section that says all aspects of this can be privatized and then we have a section that says the crown is completely removed from any liability. That's the government thinking forward to problems that could happen and removing themselves from any liability. I think it is outrageous that the government, in a situation like this where we're talking about the protection of the environment, the water we drink, our people's health, is wanting to privatize the service and at the same time remove themselves from any liability, any accountability.

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It means that a person in the private sector approves a nutrient management plan. If that happens—and it could happen. We're talking about a lot of nutrient management plans across the province. Some will do wonderful jobs. That's clear. We always see that in the private sector there are good players, good apples, and there are bad apples. But, no doubt, in a situation where the enforcement is not there and not being done properly—and I've already spoken about the fiscal restraints and the problems with that and the cuts that have already happened—what happens if there is an unsound or reckless nutrient management plan? It won't be the fault of the government who appointed them, will it?

That's the philosophy of this government in all cases: point the finger and say, "It wasn't me; it was somebody

else. We contracted these people to do it and they've made a mess of it. It's not our fault." That is the philosophy of sections 55 and 56 of the act: turn the decision-making over to the private sector and then sit back, and if they make a mess of it and something goes terribly wrong, then say, "The crown isn't liable here because we're protected by section 56 of the Nutrient Management Act." There's no public accountability here. That is the philosophy overall of this government, and we're seeing it again in this act before us. Those are some, not all, of the amendments the NDP made, and they were all turned down.

Another concern that the NDP holds, and anybody who paid attention and was watching what happened in Walkerton and worried that we might face another Walkerton one day, is about the timing on this. The timing is really critical. The clock is ticking. We have a bill before us a year and a half too late, and now we have no idea how long—there are no time frames in the bill. Look at how long it took before the bill came before us, and now we have no idea how long it's going to take for the regulations to be completed. You've got to wonder if these regulations will ever even see the light of day. But one thing we do know is that they will not be subject to the light of public scrutiny.

That's why we proposed an amendment to the act to ensure that these regulations **must** be in place within six months to protect our surface water and our groundwater. Given how much time we've been waiting, how much time the government has been working on this, and the absolute necessity, even though the nutrient management plan as being recommended here is not going to deal with a lot of the problems we're facing, we want to have time frames in the bill. It's the same problem as the recycling bill that we were talking about last night, to which I made an amendment to make sure that the money flowed to the municipalities in a timely fashion and that there are time frames for when things had to be done. That wasn't accepted either. We wanted a time frame, and I would have been agreeable to changing that to a little bit longer if necessary to at least have some time frame in there so we could just take action here and make this a priority and make it happen.

Another part of the bill has raised some big concerns and is quite controversial. There were a couple of themes that ran throughout the public hearings on this and there were a couple on which there was no agreement. One of them was about democracy and the government's respect for local democracy and local communities. That is in section 60. What section 60 says is very simple. It says that if a local community has municipal bylaws that may set a standard higher than something produced through this bill, then it is overruled by this bill. What section 60 does is it disempowers the hundreds of municipalities across Ontario that have been having problems particularly in environmentally sensitive areas. We've all heard about them—Huron county, for one—what many people and municipal bodies consider to be too many of these huge what are called megafarms being built in

those locations, and municipalities, although it's a headache for them because they are having to make these very difficult decisions, need to maintain that power to do so. That's been taken away from them in this bill.

The decision in fact goes against what happened recently in Quebec. I don't know if you recall at this late hour, but you might remember recently in Quebec what's called the Hudson decision. It was a Supreme Court decision around a municipality being able to make its own bylaws around pesticide use. The municipality of Hudson made that decision and put in a bylaw. It was challenged, it went to the Supreme Court, and the court said very clearly that the municipality had the right to do that. The decision was challenged at the Supreme Court and it was upheld in the courts.

There was another decision made here in Ontario, certainly not a court decision, but it was a bylaw developed by a municipality and it was brought before the OMB. The OMB affirmed that municipalities could in fact put in laws that did not go along completely with the right-to-farm act, that they could make their own bylaws. The OMB upheld that ruling, when this government actually spent millions of dollars to object and try to stop the municipality from having some control of its own land. So the OMB ruling confirmed what municipalities had been saying all along. The Conservative government—what time is it? I guess I'm not going to finish tonight. We've got five minutes. Stay tuned.

The OMB ruling made it very clear that the municipalities should be able to bring in their own laws to allow or disallow megafarms to be sited in their municipality. This was a west Perth bylaw and it said this: "No livestock operation or manure storage facility shall be established or enlarged until a nutrient management plan is completed where required by the municipality's nutrient management bylaw." It goes on to say, "All of the land base required for the handling of the manure produced from the intensive farm operation, as determined by the nutrient management plan, shall be located within eight kilometres of the intensive livestock operation." So the OMB ordered the municipality to remove the paragraph in italics, citing that the township exceeded its legal boundaries by limiting manure hauling distances. But that's the only one they disagreed with. Everything else remained as it is, according to the OMB.

The government is ignoring both of those rulings: the OMB ruling right here in Ontario and a Supreme Court decision. On one hand, the government said it supports municipalities to determine their own future, to have a say over their own land use and what happens in their own jurisdictions, but it's taking that away in this bill.

There was controversy over this. Many of the farmers wanted very much for the government—and this is what's the government has done—for the province, to be able to supersede their own bylaws. Some of the smaller farm groups and many people in the areas, and in particular AMO, came before the committee. Although, again, AMO was pleased to see this legislation at last coming forward, they made it very clear that they were

not supportive of this element and were very concerned about the implications.

I'll just finish this sentence, Mr Speaker, because it's important. AMO made it very clear that they were concerned about this element in the bill. They did not want that right and that responsibility taken away from them.

Mr Speaker, it being almost 12 of the clock, I will stop for the moment and continue on another day.

The Acting Speaker: Thank you. It being 12 of the clock, this House stands adjourned until later today at 1:30.

The House adjourned at 2400.

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Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 décembre 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

RENTAL HOUSING

Mr David Caplan (Don Valley East): Today Toronto tenants celebrate a small victory. For the first time since the proclamation of the so-called Tenant Protection Act, I am pleased to report that today the city of Toronto has won the right to control the demolition and replacement of its very precious rental stock with the passage of the private bill, Bill Pr22.

In this era of historically low vacancy rates, it is critical that we make this possible. I'm not the only one who agrees. I've received a letter from Alan Redway, the former mayor of East York and Conservative housing minister.

On this issue he says, "As the member of Parliament for the federal riding of York East, and as federal Minister of State for Housing, I received innumerable representations from never-married senior women concerning the possible conversion of their apartment residences on Don Mills Road at Lawrence Avenue. Worse yet, they were also threatened with the complete demolition of those apartments. Those women were frightened and panicky with no alternative accommodation, given their extremely low pension income. I am sure that your heart, like mine, would have gone out to them, and that you, like me, would have done everything in your power to allow them to retain their rental apartment homes."

Alan Redway, a high-profile Conservative, is right. Provincial leaders can't just stand back and do nothing. The city of Toronto is unanimous in its conviction to act, and I am proud that the Liberal caucus, led by the bill's sponsor, Michael Bryant, cared enough to bring this bill forward. It's now up to the government to see it through. Ensure that this bill receives third reading before the House rises this year. It is simply the right thing to do.

SCUGOG CHORAL SOCIETY

Mr John O'Toole (Durham): I rise in the House today to recognize the Scugog Choral Society on the occasion of its 25th anniversary. This group came about because citizens in Port Perry wanted to preserve an important part of their heritage.

Back in 1976 there was consideration being given to tearing down the century-old town hall. The Scugog Choral Society held a benefit to rescue this building. The rest, as they say, is history. Twenty-five years later, the Town Hall 1873 is still standing. In fact it's a focal point of the community. And the Scugog Choral Society is still singing. Grace Hastings, a popular teacher, both in the schools and in private music instruction, was one of the people who rallied behind the town hall project. She was the founder of the group. Today the Scugog Choral Society numbers 42 voices, with a membership of 56. A new project this year has been the very successful children's choir.

I would like to pay tribute to all those who have shared their musical gifts with the community in Port Perry. I'd like to mention Alice Lee, past president; Rick Huntington, president; vice-president Janet Rowland; and second vice Judy Anderson.

The choral society's latest production, which concluded on Saturday night, was a celebration of all the shows since 1976. Musical direction was supplied by Alissa Smith, with Nina Foxall the artistic director. We're looking forward to further performances in the coming year.

I commend the Scugog Choral Society for its efforts in preserving the Town Hall 1873 and keeping alive the important tradition of community choirs. We wish them many harmonious years in the future.

COMMUNITY CARE ACCESS CENTRES

Mr Joseph Cordiano (York South-Weston): I want to be very clear today that this government's efforts to bring about Bill 130 to change the structure with regard to community care access centres is nothing short of this government's effort and attempt to silence its critics.

Today my colleague the member for Windsor West held a press conference. The president of the Ontario Association of Community Care Access Centres called upon this government to withdraw its Bill 130. It is, as I said, an effort to silence its critics. It's a slap in the face to CCACs across this province. It's a slap in the face to all those volunteers who sit on those boards. They come from the community they represent. They have done a very noteworthy job against all odds, underfunded by this government to the tune of \$175 million. In North York alone they have been underfunded by \$10 million.

It's no wonder that people are saying we have a crisis on our hands when it comes to community care access centres. They are saying out there to the government,

"Listen to us. There is a serious crisis. What you've done with community care access centres is a disgrace." In Ontario today, we have 70-year-olds who are required to care for their 90-year-old elderly parents. It is nothing short of a disgrace, and this government must take it seriously. This is a crisis. Take it seriously.

EVENTS IN SAULT STE MARIE

Mr Tony Martin (Sault Ste Marie): This is my chance for my annual commercial on behalf of Sault Ste Marie. I want people to know that it's snowing in the Soo and that the Searchmount Ski Resort is looking forward to a very exciting season of fun and frolic for all. We are inviting everybody to come on up and take advantage of the wonderful facilities that Sault Ste Marie has, the wonderful opportunity to ski, snow machine, ice fish, or whatever your heart desires.

I'm here today to also say that tonight the media studio is holding their annual Christmas party and charity auction. In the spirit of that and my community, a number of businesses have come together to offer a package that will be auctioned off tonight of two nights of accommodation, free flights to Sault Ste Marie and free skiing.

I want to read a little poem that my assistant, Susan Walters, wrote for this occasion.

You could visit Rome
or see gay Paree,
But nothing is better
than Sault Ste Marie.

Especially in winter
where skiing is great
And with these two passes
you won't have to wait.

There's two for the airplane
with a two-night stay
And with added lift passes
you'll have a GREAT day.

So come on up to Sault Ste Marie and enjoy the skiing. Go to the auction tonight, bid on this package and have yourself a good time.

VOLUNTEER FIREFIGHTERS

Mr Ted Arnott (Waterloo-Wellington): Today I want to recognize the courage of a firefighter from Waterloo-Wellington whose quick thinking and actions saved a man's life. Lieutenant Joseph Kelly of the Woolwich-Elmira Fire Department was returning from a business trip on Highway 86, east of Elmira, when he came upon a collision between a car and a truck that resulted in a fireball. Without hesitation, he and another citizen on the scene risked their lives and pulled the driver of the car to safety.

Using a packsack as a shield, Joseph Kelly then attempted to approach the truck, but the heat from the fire

was overwhelming and the packsack started to burn in his hands. Soon after they pulled the man to safety, the car exploded into a firestorm.

These actions earned Joseph Kelly the Ontario Medal for Firefighter Bravery, which was presented to him at Queen's Park on November 13 by the Lieutenant Governor of Ontario, the Honourable Hilary Weston. Lieutenant Kelly was acknowledged for exceptional courage, and his actions remind us of the courage and sacrifice that firefighters bring to the job in Ontario. In Waterloo-Wellington, his actions also remind us of the importance of volunteer service, because Lieutenant Kelly is a volunteer firefighter.

I know this Legislature recognizes the great contributions that all of our volunteer firefighters make in our communities. I was honoured to work with my colleagues here to support their efforts when we passed my private member's bill in 1994 that enabled volunteer firefighters to identify their personal vehicles by using a flashing green light. In 1998, my private member's bill to allow for the maximum compensation for volunteer firefighters if they are injured in the line of duty was adopted into government legislation and passed into law as well.

Lieutenant Kelly went beyond his duty, and this brave act reminds us why firefighters, especially volunteer firefighters, are an inspiration to us all.

1340

JAKE LAMOUREUX

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): Yesterday I had the pleasure of joining my constituent Mr Jake Lamoureux as he was awarded the prestigious Order of Ontario for his many contributions to our community.

Mr Lamoureux's dedication is an inspiration to all those who know him. His commitment to helping others is even more amazing as he was diagnosed with bone cancer at the age of 19. Despite his disabilities, Jake has dedicated his life to helping others. Over the years he has been involved in over a dozen organizations, including the children's treatment centre, the United Way, the Agape Centre and the children's aid society. He has been an exceptional fundraiser and has raised in excess of \$2 million over the years.

Jake's exceptional volunteerism has not gone unnoticed. He has received numerous community awards, including Citizen of the Year in 1988 by the chamber of commerce. That same year he was awarded the Ontario Medal for Good Citizenship and, just last year, the Order of Canada.

Now I am proud to say that he can add the Order of Ontario to his outstanding accomplishments. I know the community would not have been the same without Jake's kindness and generosity. He has made a difference in the lives of many in our area. I know the community as a whole joins me in congratulating Jake for his many contributions to my community over the years.

DIVERSICARE CANADA

Ms Marilyn Mushinski (Scarborough Centre): With great pleasure I take this opportunity to recognize the Rockcliffe Centre long-term-care facility, which is in my riding of Scarborough Centre. Rockcliffe is managed by Diversicare Canada Management Services Co. This company operates 14 long-term-care facilities and 23 retirement residences across Canada.

On October 17 the National Quality Institute presented Diversicare Canada with a Quality Award, for excellence. Diversicare won this award by meeting a very stringent set of criteria. NQI measures all aspects of a corporation's performance, from leadership and customer service focus to continuous improvement.

Diversicare has an annual conference that promotes the exchange of best practices within their organization around the theme of "I Can Do It Better."

This is the first time a company in the long-term care and retirement industry has received this prestigious award in the NQI's 17-year history.

It is important to take the time to say congratulations. The excellent service that Rockcliffe provides to my community has made an example of how government and the private sector can work together to provide new solutions for our health care system.

Congratulations to all.

RENTAL HOUSING

Mr Michael Bryant (St Paul's): I am pleased to report to this House that a non-partisan moment took place. Justice prevailed over partisan politics today in the private bills committee. Thanks to that effort, in the midst of a housing drought we're going to preserve that precious commodity of affordable housing stock.

Congratulations to MPP David Caplan for his bright idea for me to bring this private bill forward to city council in the first place. Congratulations to city council and their excellent staff who presented before the committee in a way that left the committee with no other choice but to support this private bill.

Congratulations to the councillors who unanimously supported this resolution, without which I don't think this would have happened. Thank you to councillors Mihevc and Walker in St Paul's for their great support and initiative in this regard. Above all, to the citizens of St Paul's and across Toronto, congratulations for participating in a remarkable democratic moment, packing the committee room and letting your voice be known. Again, after your voice was heard, there was no other result but victory for tenants in Toronto.

I say to those Tory leadership candidates: reaffirm your commitment to the city of Toronto. Reaffirm your political clout. Make sure no political games are played to stop this bill from eventually passing. Congratulations to everybody in this House. This is a great day for democracy.

RAMADAN

Mrs Tina R. Molinari (Thornhill): The Muslim community in my riding of Thornhill and throughout the world has been observing a month of fasting and prayer during Ramadan, which began on November 16 of this year. Muslims regard Ramadan as a time for inner reflection, devotion to Allah and self-control. Ramadan is also a time of intensive worship, reading of the Koran, giving to charity, doing good deeds and the purifying of one's behaviour.

Ramadan will end with the celebration of the feast of Eid-ul-Fitr, which will fall in mid-December. On the day of Eid, Muslims are encouraged to enjoy a sweet snack and to express thanks to Allah by means of distributing alms among the poor and by offering special prayers. On this day, gifts are also given to children and loved ones.

I would like to take this opportunity to thank all the children at As-Sadiq Islamic School in my riding of Thornhill for taking part in the competition for designing the Eid-ul-Fitr cards. They were very creative and well done. I will be sending the cards to members of the Muslim community in Thornhill.

I would like to wish members of the Muslim community in my riding of Thornhill and across the province of Ontario a very happy and joyous Eid.

EMERGENCY SERVICES

SERVICES D'URGENCE

M^{me} Claudette Boyer (Ottawa-Vanier): En tant que députée dans la nouvelle ville d'Ottawa, je viens déplorer le fait que les services d'urgence à Ottawa soient compromis.

Ottawa's emergency services are being seriously compromised by the decision of the government of Ontario to operate the Ottawa-area ambulance service dispatch network independently of the rest of the emergency response operations. Efficiency and common sense dictate that the full coordination of the emergency services must mean full integration of those services. The mayor and city councillors of Ottawa are adamantly opposed to the current provincial proposal to separate dispatch services from the other components of emergency services.

The voices of the citizens of Ottawa are now also being heard. There is widespread opposition to the proposed changes, and confidence in the viability of emergency services throughout the nation's capital is rapidly diminishing. Moreover, every expert in the field of community safety advocates the integration of emergency services.

Why is this government refusing to listen to the experts? Why is this government ignoring the wishes of the citizens of Ottawa and their elected leaders? Why is this government placing the lives of residents of Ottawa at risk? Remember, the safety of the people of Ottawa must come first.

VISITORS

Mr Bill Murdoch (Bruce-Grey-Owen Sound): On a point of order, Mr Speaker: Today I introduce Joanna Van Dorp, sitting right beside you there, one of our pages. Her school is here today to make sure she's working hard: Timothy Christian School in Owen Sound.

By the way, they'd like to thank the House for the tax credits they will be getting; they are a Christian school.

Mr Carl DeFaria (Mississauga East): On a point of order, Mr Speaker: I seek unanimous consent of the House to move third reading of Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario, and to have the question put immediately, without further debate or amendment.

The Speaker (Hon Gary Carr): Mr DeFaria is seeking unanimous consent of the House to move third reading of Bill 120. Is there unanimous consent? Agreed.

CELEBRATION OF PORTUGUESE
HERITAGE ACT, 2001

LOI DE 2001 SUR LA FÊTE
DU PATRIMOINE PORTUGAIS

Mr DeFaria moved third reading of the following bill:

Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario / *Projet de loi 120, Loi proclamant un jour et un mois de fête du patrimoine portugais en Ontario.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1350

VISITOR

The Speaker (Hon Gary Carr): Just before we begin, we have with us today in the Speaker's gallery Danielle Campo, one of last evening's recipients of the Order of Ontario. Sixteen-year-old Danielle represented Canada at the 2000 Paralympic Games in Sydney, Australia, where she captured three gold medals and one silver, setting a world record in the women's 100-metre freestyle. Danielle has raised over \$1 million for muscular dystrophy. Again, we welcome our honoured guest.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the 17th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON
JUSTICE AND SOCIAL POLICY

Mr Toby Barrett (Haldimand-Norfolk-Brant): I beg leave—and given the circumstances yesterday, I am begging—to present a report from the standing committee on justice and social policy and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / *Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes.*

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

Pursuant to an order of the House dated November 28, 2001, the bill is ordered for third reading.

STANDING COMMITTEE ON
REGULATIONS AND PRIVATE BILLS

Mr Rosario Marchese (Trinity-Spadina): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bills without amendment:

Bill Pr3, An Act to revive 1268519 Ontario Inc.

Bill Pr22, An Act respecting the demolition of rental housing units in the City of Toronto.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

Mr Marchese: On a point of order, Mr Speaker: I'm asking for unanimous consent from this House. Given that we just passed second reading and it was almost unanimously supported in committee, I ask that we proceed on third reading of Bill Pr3, An Act respecting the demolition of rental housing units in the City of Toronto.

Mr Dwight Duncan (Windsor-St Clair): On the same point of order, Mr Speaker: Mr Bryant's bill, Bill Pr22, was introduced by Mr Bryant, and Mr Bryant took it through the committee process. I believe, though, that the bill is Pr22 in the name of Mr Bryant, the member for St Paul's, a member of the official opposition Liberal caucus.

The Speaker: One little problem. It hasn't had second reading yet. You would need to ask for unanimous consent for second reading, if the member would like to do that. You asked for third. If you could make it for second reading.

Mr Marchese: I seek unanimous consent for this House to proceed to second reading of Bill Pr22 and hope we would have the support of this House to do that.

The Speaker: Just so everyone's clear, that bill is An Act respecting the demolition of rental housing units in the City of Toronto.

Is there unanimous consent? I'm afraid I heard some noises.

INTRODUCTION OF BILLS

CITY OF OTTAWA ACT (TAXICABS), 2001

Mr Guzzo moved first reading of the following bill:

Bill Pr24, An Act respecting the City of Ottawa.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, the bill stands referred to the standing committee on regulations and private bills.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon Janet Ecker (Minister of Education, Government House Leader): I seek unanimous consent to put forward a motion regarding private members' public business.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Ecker: I move that not withstanding standing order 96(d), the following change be made to the ballot list for private members' public business: Mr McMeekin and Mr Colle exchange places in order of precedence such that Mr McMeekin assumes ballot item 37 and Mr Colle assumes ballot item 38.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

VOLUNTEERS

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I am seeking unanimous consent of the House for each caucus to have some brief comments about the fact that today is International Volunteer Day.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Jackson: In 1985, the United Nations General Assembly designated December 5 as International Volunteer Day, a day dedicated to recognizing and celebrating volunteers. It is especially significant today, not only because it is also the International Year of Volunteers but because of recent tragedies in the United States. They remind us of just how valuable volunteers are and

what a difference they make to our communities, our province and our country.

In the aftermath of the terrorist attacks, volunteers opened their homes to stranded passengers and organized fundraising activities for victims' families. A number of volunteers even went to New York to see for themselves the atrocities of September 11 and offer their volunteer services in whatever way they could.

Today we have in the House one of those volunteers who went to ground zero to offer his special skills as well as to offer comfort, solace and encouragement. He happens also to be from the riding of Burlington. I believe that he, like other volunteers throughout Ontario who went to ground zero, represents the spirit of volunteerism in this province and exemplifies the compassion and the commitment that make our communities strong.

Terry Clark, the director of family services for the Salvation Army in Burlington, was in Manhattan from October 5 to October 18, where he worked 12- to 18-hour shifts with colleagues dispensing food and refreshments to the emergency service personnel. He told us that the site, the ground, was so hot that people working at ground zero would come out with their boots literally melting off their feet. Terry and his crew would remove their boots, wash and powder their feet and give them new socks and boots. In referring to his time there in his own modest way, Terry said that it was a privilege for him to help and to be of service.

There were also four people from the Burlington Red Cross who went to New York to lend a hand to our neighbours: Ella Davidson, Sergio Bollito, Judy Barlett and Bill Ferris. They couldn't be here with us today because they are in different parts of the world, volunteering. In fact, Bill Ferris is still volunteering his time in New York.

Please join me in honouring and applauding Terry Clark and his many colleagues for their generosity and volunteer spirit.

Applause.

Hon Mr Jackson: Such committed volunteerism has a long-standing tradition in our province, with more than 2.3 million unsung heroes of all ages helping to keep our communities vibrant and healthy, making this province a much richer place to live.

There is an abundance of stories of dedicated volunteerism across our province, and as I have travelled this province I never cease to be amazed at the efforts these volunteers give. Just this year alone, 8,124 individuals from across our province received Ontario volunteer service awards to commemorate the International Year of Volunteers, and we added a new 50-plus-years-of-service pin for seniors who are recognized on our on-line Volunteer Hall of Fame.

1400

I cannot detail the work of all the outstanding volunteers in our province, but I would like to highlight just a few. Erin Beckett, from Amherstburg, was just 12 years old when she organized a successful elementary school Valentine's dance and raised \$757 to refurbish the

Nazrey African Methodist Episcopal Church, the first black heritage building to be protected as a national historical site in Canada.

Heather Menzies, 18, of Petrolia, a top academic student and an athlete with four part-time jobs, remains a tireless volunteer as a companion to seniors at nursing homes, an assistant with mentally handicapped children and a coach for a boys' soccer team.

Twenty very special Ontario citizens received outstanding achievement awards in volunteerism in our province this year, each of them selfless acts of devotion to the service of others. Wendy Cook, of Orangeville, is typical. Wendy was determined that children with disabilities should have a chance to play in a local park. Her daughter, Hailey, six, could use the swings, but Keaton, aged three, who had special needs, had to sit on the sidelines—a heartbreaking sight for any mother. Wendy determined that Orangeville should have a fully accessible playground, and after months of lobbying for support and funds, Every Kid's Park became a reality in September and all the children in that community can finally go out and play.

Against such a backdrop of dedication from so many volunteers, you can understand why our government has responded by committing more than \$22 million to support and strengthen volunteerism in our province since 1995, with an unprecedented \$15-million investment in the International Year of Volunteers. Among the initiatives, we supported the 47 community volunteer summits across the province—and I want to thank all members of the House for participating—bringing together local businesses, non-profit organizations and government to discuss ideas on working together to enhance the community and individual lives.

A new partnership, Ontario's Promise, was launched by Premier Mike Harris, a program that encourages more local businesses, government and volunteer organizations to work on behalf of children and youth.

This government is also working with high-tech companies to expand the reach and impact of technology to benefit the voluntary sector. In fact, this afternoon I will be unveiling Making IT Work for Volunteers, a \$600,000 partnership program with the Information Technology Association of Canada for Ontario.

We salute Ontario's dedicated army of volunteers. They deserve our utmost respect and our sincere gratitude.

Mr Tony Ruprecht (Davenport): On behalf of Dalton McGuinty and the Liberal caucus, I'm delighted to respond to the minister's statement on the International Year of Volunteers, 2001.

We're of course honoured by the presence of Terry Clark, who has come today, and the thousands of others, all those volunteers in Ontario. You've made us proud to be Canadians. We know there can be no higher calling than to help others, and there are a number of organizations in Ontario that should receive special mention because of their yeoman service in terms of providing volunteer services. The cancer society, the Heart and Stroke

Foundation, with 45,000 volunteers, and the March of Dimes all rely extensively on volunteers because they ensure that funds are raised and education on these issues that are their concern flows to the larger society.

The hospital sector alone relies heavily on volunteers to ensure that all parties and all patients are cared for—60,000 men, women and teenagers volunteer their time and compassion in Ontario hospitals. This provides an estimated four million hours of service to the patients. If they were paid \$15 an hour, this would add up to \$60 million worth of free time. Volunteers in hospitals also raise more than \$20 million a year for hospital equipment, community services, education and outreach. This is accomplished through sales in the gift shops, bazaars, antique fairs, lottery ticket sales etc.

In this blessed country, we have a number of volunteer services and a great tradition of selfless service through alliance clubs, Rotarians, Shriners, our churches, lodges, temples, synagogues. I myself was raised in the tradition of Kiwanis International, whose motto is "To serve with purpose." In the very act of giving, something happens to the giver. In giving, we ourselves are transformed as well.

While we should encourage any kind of volunteerism, there should exist a special category of volunteers: those who help the poor, the unemployed, the sick and indeed total strangers. I am reminded of the good Samaritan parable in the Bible. There was a person who picked up a total stranger, cared for him, took him into an inn, paid for him and left without expecting anything in return.

You say, "People don't care any more. People don't do that any more because it's too dangerous." Well, we're wrong. I used to have a corner office just underneath the Premier's office in the Whitney Block. Occasionally I would stay late. When I did I saw a number of volunteers who looked after the homeless in their miserable condition, providing them with coffee, blankets and food. The good Samaritan still lives.

While we celebrate today the achievements of the International Year of Volunteers and all those volunteers in Ontario, I am reminded of the record of this government. Did you know that presently we're debating a bill that will fire volunteers from our community care access centres? That's an imposition we should not and cannot adhere to. I'm reminded of a further record. In 1984 there was the International Year of Disabled Persons. As Liberals, we recognized that in 1986. Why did it take that long? Because in 1984 the PC government did not wish to acknowledge the establishment of the International Year of Disabled Persons.

Today we also have the Advisory Council on Disability Issues eliminated. Why? We don't know. But one thing is for certain: the government has seen the light and the government has decided, with great fanfare, to get back and say, "We will re-establish the disability office and re-establish disability service."

I am also reminded of the recognition award for volunteers the minister spoke to, the five-year, 10-year, 15-year, 25-year and indeed the 50-year anniversary pins.

What happened when it was established? Liberals and the city of Toronto had to write many letters in order to get this thing organized, in order to get the volunteer services established. We dragged this government, kicking and screaming, into the 20th century to recognize our volunteers. So there is another record that we can go to.

Let's remember why volunteerism is needed in Ontario today. It is important because the homeless situation in our province has been exacerbated by this government's contribution to the housing crisis. Volunteers are needed to help feed and shelter the homeless through church organizations such as St Francis Table; further, because our schools are short on teachers, because parent volunteers are helping now in the classroom to ensure the larger class sizes are manageable.

More volunteers are needed because an increasing number of seniors and working poor are visiting food banks for help. Volunteers are needed to donate and hand out appropriate food to the working poor. It is clear that this government has introduced some programs which will increase volunteers. We need you. We're proud of you.

One thing is clear. As volunteers are needed in the future, we know that this government must do its part. You too must encourage volunteerism, do more than simply give out pins. You must open your doors and then try to ensure that volunteers are being looked after and encouraged so that the future of Ontario can be proud of its tradition.

1410

Mr Rosario Marchese (Trinity-Spadina): New Democrats stand proud today to honour on this day, the International Volunteer Day, all those men and women, young and old, who put in a great deal of time in the service of creating a decent society. We know that volunteerism is the hallmark of democracy. Without them, this democracy would not be much better. It would not be so great without them.

More and more people are volunteering their time because they need to. They're being taxed because they're working double time and triple time at the job of volunteerism. Why? Because governments are abdicating responsibilities for Ontarians, for this society. You volunteers, you Ontarians are the real heroes. You contribute billions and billions of dollars of your time. This government knows that your time is valuable. It's worth money. They call upon you day in and day out to volunteer more and more of your free time so that governments spend less and less of their tax dollars and responsibilities to do the right thing. That's what I decry. We're not ashamed to recognize the work of volunteers. We recognize them day in and day out. But they ought not to replace the obligations of government.

More and more volunteers are replacing governments when they shirk their responsibilities. So I have no time for this government or this minister when they stand here today praising volunteers. I have no time for it because I see more and more of them taxed to death, providing the work that they should be doing. They are tired of filling

in the gaps for this government. Volunteers are tired of picking up your mess. I'm tired of it. If I'm tired, they too must be equally tired of it. They are saying, "What is the obligation of government, except and if not to do the things that volunteers are doing in so many cases?"

In our school boards, parents are collecting \$36 million for basic supplies, something the Minister of Education should provide. Our illustrious Minister of Finance should be forking out the money for those parents, for those students, yet parents are raising more and more of their money, out of their own pocket, for basic things in the schools. That's wrong. That is absolutely wrong.

How many out-of-the-cold programs do we have in this society, volunteers helping those who are homeless? We, you especially, can praise these folks for volunteering their time and their lives to help those people who are homeless. But what is your obligation to them? That responsibility falls more and more on volunteers. People are in shelters in record numbers. Some shelters simply cannot house those who come in seeking help. They are being kicked out because they have no room. What is the government's response to this? "More and more volunteers should open their doors to those who seek shelter," as opposed to this illustrious Minister of Finance finding the money to be able to provide for those seeking shelter. He's got \$2.3 billion worth of money to give to the corporate sector because they're so needy and so desperate and he has no money for those seeking shelter, no money for the homeless, no money for those parents who are raising money for basic supplies.

Minister of Finance, you ought to stand up and ask forgiveness from those Ontarians, as opposed to the hubris that you express here day in and day out about your tax policies and how great they are.

Interjections.

Mr Marchese: The Minister of Finance says I don't understand. I'm glad he understands the plight of those who seek from you the support they desperately need. I say to the Minister of Finance, I am tired and volunteers are getting awfully tired of filling in the gaps for you and your government. While I recognize volunteers because they are truly the real heroes, I tell you they don't want to replace you. They want governments to have that obligation, and not have the volunteers bear the burden of filling in the holes for you.

VISITORS

Hon Janet Ecker (Minister of Education, Government House Leader): On a point of order, Mr Speaker: I'd like to introduce and welcome several members of the Ontario Principals' Council who are with us in the gallery today: the president, Martha Foster; the executive director, Mike Benson; president-elect Helen Spence; vice-president Doug Acton; and executive members-at-large Wendy Fairly and Ian McFarlane. I'd like to welcome them to this Legislature.

ERIC BROWN

Mrs Sandra Pupatello (Windsor West): On a point of order, Mr Speaker: I would like the indulgence of the House for a moment to inform the House that we have a page here from Windsor West, named Eric Brown, who was called home two days ago, and last night, unfortunately, his mother passed away. On behalf of the whole House, we extend our deepest sympathies to the Brown family while they get through these very difficult and trying days. The funeral will be held on Friday, and we extend and wish our very best to Eric especially.

VISITORS

Mrs Tina R. Molinari (Thornhill): On a point of order, Mr Speaker: As today is International Volunteer Day, I think it's appropriate to recognize, in the government members' gallery, Michael LaFlamme, who is a volunteer on the board of directors of the East Metro Youth Services, and Clair Fainer, on the board.

Mr Rick Bartolucci (Sudbury): On a point of order, Mr Speaker: On this very important day when we do recognize volunteers, I'd like to recognize the volunteer who is the chair of the community care access centre in our city, Bob Fera, and he'd like to continue volunteering.

DEFERRED VOTES

RESPONSIBLE CHOICES FOR GROWTH
AND FISCAL RESPONSIBILITY ACT
(BUDGET MEASURES), 2001LOI DE 2001 SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILITÉ FINANCIÈRE
(MESURES BUDGÉTAIRES)

Deferred vote on the motion for third reading of Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.

The Speaker (Hon Gary Carr): Call in the members; this will be a five-minute bell.

The division bells rang from 1417 to 1422.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hardeman, Ernie	O'Toole, John
Baird, John R.	Harris, Michael D.	Ouellette, Jerry J.
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Beaubien, Marcel	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary

Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Martiniuk, Gerry	Tascona, Joseph N.
Dunlop, Garfield	Maves, Bart	Tilson, David
Ecker, Janet	Mazzilli, Frank	Tsubouchi, David H.
Elliott, Brenda	Miller, Norm	Tumbull, David
Flaherty, Jim	Molinari, Tina R.	Wettlaufer, Wayne
Galt, Doug	Munro, Julia	Wilson, Jim
Gilchrist, Steve	Murdoch, Bill	Witmer, Elizabeth
Gill, Raminder	Mushinski, Marilyn	Wood, Bob
Guzzo, Gary J.	Newman, Dan	Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Curling, Alvin	McLeod, Lyn
Bisson, Gilles	Di Cocco, Caroline	McMeekin, Ted
Bountrogianni, Marie	Dombrowsky, Leona	Parsons, Ernie
Boyer, Claudette	Duncan, Dwight	Patten, Richard
Bradley, James J.	Gerretsen, John	Peters, Steve
Brown, Michael A.	Gavelle, Michael	Phillips, Gerry
Bryant, Michael	Hoy, Pat	Prue, Michael
Caplan, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwintor, Monte	Ramsay, David
Cleary, John C.	Marchese, Rosario	Ruprecht, Tony
Colle, Mike	Martel, Shelley	Smitherman, George
Cordiano, Joseph	Martin, Tony	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 54; the nays are 38.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

FOOD SAFETY
AND QUALITY ACT, 2001
LOI DE 2001 SUR LA QUALITÉ
ET LA SALUBRITÉ DES ALIMENTS

Deferred vote on the motion for third reading of Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres.

The Speaker (Hon Gary Carr): Call in the members; this will be a five-minute bell.

The division bells rang from 1426 to 1431.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Harris, Michael D.	Runciman, Robert W.
Baird, John R.	Hodgson, Chris	Sampson, Rob
Barrett, Toby	Hudak, Tim	Snobelen, John
Beaubien, Marcel	Jackson, Cameron	Spina, Joseph
Chudleigh, Ted	Johns, Helen	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Klees, Frank	Stockwell, Chris
Coburn, Brian	Marland, Margaret	Tascona, Joseph N.
Cunningham, Dianne	Martiniuk, Gerry	Tilson, David
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Tumbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim

Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie

Munro, Julia
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.

Witmer, Elizabeth
Wood, Bob
Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Churley, Marilyn
Cleary, John C.
Colle, Mike
Cordiano, Joseph

Crozier, Bruce
Curling, Alvin
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Gravelle, Michael
Hoy, Pat
Kormos, Peter
Winter, Monte
Marchese, Rosario
Martel, Shelley
Martin, Tony

McGuinty, Dalton
McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Smitherman, George
Sorbara, Greg

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 52; the nays are 39.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

GOVERNMENT SPENDING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Chair of Management Board. On November 18, you said that as much as \$5 billion would be "immediately"—that is your word—"slashed from the budget." Since that time, you've had three full cabinet meetings and you must have had a dozen meetings of the various cabinet subcommittees. Despite all of this, we have heard absolutely nothing further with respect to your intention regarding cuts. What worries me is that you are keeping the details of these cuts secret until this Legislature rises so that you might do those and avoid public scrutiny.

You may not believe this, Minister, but I believe that Ontario's families have a right to know what you're thinking of doing when it comes to cuts, and specifically when those cuts will take effect. I think that's a matter that should be debated in this House. Why don't we begin this debate right now? What exactly are you cutting, and when exactly will those cuts take effect?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): First of all, it would be nice if the Leader of the Opposition would put things in the proper context. The context I was talking about was the possible worst scenario of about \$5 billion. There are a number of projections currently on the economy, as he well knows. I must say that people tend to forget what bad shape this province was in in 1994, and certainly in

1995, when we came into government. At that time, just to put the context here, previous governments, the government of the NDP and the government of the Liberals, were spending about \$1 million an hour to service the amount of interest owing on the amount the government owed. It's important for us right now to take a very prudent and cautious approach. We were determined to do this back in 1995, to make sure this government followed this type of prudent and cautious approach to government. We're doing this type of planning currently.

Mr McGuinty: I wonder if the minister might be able, at some point in time, ideally, to take some responsibility for lending direction to a fiscal policy for this millennium. You said you were going to immediately cut \$5 billion from the budget. You're not telling us what you're looking at.

Let me tell you what we've heard is on the table. Listen to this, Minister: (1) a public sector wage freeze; (2) delisting of podiatry, chiropractic and more physiotherapy services; (3) a further delay of municipal infrastructure grants to upgrade the safety of our drinking water and highways; (4) \$200 million in cuts to child care; and (5) user fees for our parents and grandparents when it comes to their home care and medication.

Minister, next week this Legislature will rise and likely won't sit again for some four months. That means there will be no questions during that time from the opposition. That may suit you, but it won't suit our working families. I ask you, can you deny that any or all of those five items which I just listed for you are on the table as part of your cuts?

Hon Mr Tsubouchi: The Leader of the Opposition has absolutely no idea what he's talking about, absolutely none whatsoever. First of all, nowhere did I ever say we're looking to cut \$5 billion from government. That is blatantly untrue, and he knows full well it is.

What I did indicate was that it is the responsibility of government to look at very responsible and prudent ways to make sure that as we enter next year—and I must correct him as well, that this year we'll have a balanced budget; it's very clear we will—we're doing some planning for the year 2002-03. I think it's very prudent for us to look forward to doing these things. I was very clear when I spoke about these things: yes, we'll be looking at some expenditure controls; we'll be looking for new revenue streams as well and the possible privatization of items. It's important for government to examine all these things in order for us to ensure for the people of this province we have a balanced budget and we continue along with economic—

The Speaker (Hon Gary Carr): The minister's time is up.

Mr McGuinty: Minister, you say that you have to make cuts. We say you could easily cut your \$2.2-billion corporate tax cut, you could cut your private school tax credit and you could finally, once and for all, cut out your partisan political advertising. When it comes to those other things that you feel you have to cut, why don't you come clean with the people of Ontario? Why don't you

tell us exactly what you're looking at? Why do you want to wait until this House recesses and then you have four months, under cover of the intersession period, to shrink from your responsibility to be accountable for the cuts you want to make? I put five specific things on the table that I've been hearing about. You haven't denied that a single one of those is in fact not on the table.

I'll give you another opportunity. If these are not on the table, Minister, and you tell us you're looking at upward to \$5 billion in cuts, tell me exactly, so that Ontario families will know, what cuts are you looking at?

Hon Mr Tsubouchi: To the Leader of the Opposition, for the third time, nowhere have I ever said we're looking at \$5 billion in cuts. I hope you understand and appreciate that and listen for a change. We've never said that.

Secondly, this is proper budget planning, something you did not do when you were in government; clearly you did not, because you had a runaway deficit and in fact you had two sets of books which the NDP had to inherit. We are doing some proper planning. We want to make sure we continue the economic growth. We want to take a prudent and cautious approach to putting the books of this government in order. We have a commitment to do it, we have done that and we will continue to do that in the future.

1440

COMMUNITY CARE ACCESS CENTRES

Mr Dalton McGuinty (Leader of the Opposition): My question is for the associate minister of health. Minister, your hostile takeover of home care is wrong, and it's going to hurt our sick, more particularly our parents and our grandparents. I'm not sure how many friends you have when it comes to this legislation, but let me tell you what I've been hearing. The vice-chair of the Waterloo CCAC calls your legislation "a slap in the face." The board of the Thunder Bay CCAC wonders if you have "lost your mind." The Toronto board says that this is "nothing short of a gag order." Bob Fera, former PC candidate and founding president of the Ontario CCAC association, spent four hours getting here today to tell you that this is some of the worst health care planning that he has ever seen.

Minister, the response from around the province from those people who defend the interests of our parents and grandparents is unanimous: it is a resounding no to your legislation. Will you do the right thing? Withdraw this bill and start over.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say that on this side we have heard from the people of Ontario who are concerned about the community services they are getting. As a result of that, we have moved forward on a number of different fronts to ensure that we can provide the best quality service to the people of Ontario when it comes to community services. We've looked at the governance model in the legislation. We've looked at management issues and accountability, which we can do without legis-

lation. We're moving forward to ensure that community health care is the best that it can be in Ontario.

Mr McGuinty: I can see why you may choose to describe it as moving forward, but that's not how our parents and our grandparents and those volunteers who work for our CCACs see it. They see it as a step backward. They see it as an effort on your part to do nothing more than to take those people who are volunteers in our communities, who stand up to you and your government's policies and your cuts and your desire to introduce user fees and who defend our parents and our grandparents and their interests when it comes to getting care in their homes, because you're discharging them quicker and sicker than ever before from hospitals, and you want to take those people and replace them with government appointees. That's what this legislation is all about. It is nothing more complicated than that. Why don't you do the right thing? Admit that this is really what it's all about and withdraw this bill.

Hon Mrs Johns: Let me say that everyone knows that this government has made a commitment to take volunteers from the community and put them on the boards. We have made a commitment that there will be community people involved in this. All we're saying is that they're going to be appointed by the Lieutenant Governor in Council.

Let me say that this government has made a commitment to community services. We've moved the budget from approximately \$600,000 in 1995 to \$1.17 billion without one red cent from the federal government, and shame on them.

Mr McGuinty: Why don't you just be honest with Ontarians? Tell them that you are discharging people from Ontario hospitals quicker and sicker than ever before. You have driven up, skyrocketed the demand for CCAC services. In the past, 30% of CCAC clients were coming from the hospital; today 70% of CCAC clients are coming from hospitals.

If you won't listen to me, listen to Mrs Pauline Ralph. She just sent me a letter to my constituency office. This is what she says about your funding: "My husband suffers from Alzheimer's disease. I wanted to care for him at home but with all the cutbacks I couldn't get the help I needed. He is now in a long-term-care facility. I still go every day to help feed him. It is costing me much more in time, health and financially. It is a hardship that at 77 years of age I could do without." You can give me all the gobbledegook and bureaucratese you want with respect to your additional funding. This is what is happening on the ground.

Your bill is all about shutting down and shutting up community volunteers who work in our CCACs. Do the right thing and withdraw this bill.

Hon Mrs Johns: Not one red cent from the federal government.

Interjection.

The Speaker (Hon Gary Carr): The member for Windsor West, come to order, please. Sorry, Minister.

Hon Mrs Johns: The community recognizes across the province that this government has increased the funding in community care access centres by 72% without one red cent from the federal government. They promised a plan that would give us a national home care program, and where is it? Not one red cent.

This government has had a commitment to community services. We have increased this budget substantially. We're going to use volunteers to make sure this program continues to run. This government has such a commitment to community services that we're—

The Speaker: The minister's time is up.

COMPETITIVE ELECTRICITY MARKET

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of Energy. News reports suggest that the priorities, planning and communications board of your government will decide tomorrow to set a date for the electricity market opening. You've tried to flog this dirty deal by promising lower rates, but last week Stanley Hartt, chairman of Salomon Smith Barney, the very company that did the due diligence on your privatization of Bruce power station, said this: "We shouldn't be fixated on keeping prices low." He said that prices should rise in a free market economy when demand outstrips supply. The question is, do you agree with him, your own adviser on the Bruce deal, that higher electricity rates are desirable?

Hon Jim Wilson (Minister of Energy, Science and Technology): I certainly would agree with Mr Hartt to the extent that, yes, if demand does outstrip supply we would find ourselves in a California-type situation. Thank God this government is planning ahead and we are not California.

The idea is that since the Liberals and NDP left us \$38 billion in debt with the old Ontario Hydro monopoly, we can't go to the banks any more to build the new plants to make sure we always have enough supply to keep our hospitals, our schools and our homes heated and the lights on. We can't go to the banks—they messed that up for us—so we have to go to the private sector. We have to have them take the risk with their money and build the new plants, as they're doing in every other jurisdiction in the western, industrialized world except Canada and France right now, build the new plants so we never get into the situation like California and have demand outstrip supply.

Ms Churley: So the minister agrees with higher rates. He just admitted that. Salomon Smith Barney also said that the Bruce deal was good for Ontario. What it appears he meant is that it's a good deal if you want higher rates. The minister should come clean with the public now and admit that privatization will mean much higher rates as much of our electricity gets sold to the US.

You should also come clean about the Bruce deal, which you said was available to the public. We took you up on your suggestion and we got all the documents available about that deal. But guess what? OPG refused

to release the so-called confidentiality agreement between themselves and Bruce Power. So, Minister, I'm asking you, why are you trying to hide the Bruce deal from the public?

1450

Hon Mr Wilson: Clearly, I've answered this question several times in this House and in committee. The Ontario auditor has the entire Bruce deal. I provided your leader with the Bruce deal I don't know how many times. The Bruce deal is available in the local library up near the Bruce community, in Kincardine. It also was the subject of several weeks of federal hearings with the Canadian Nuclear Safety Commission, public hearings, before they gave Bruce Nuclear a licence to operate the plant. The deal has been out there. The only party, it seems, that can't read in this Legislature and in this province is the NDP.

Secondly, they want to talk about higher rates. One of the reasons we need to change the system is that rates went up 60% during their five years in office. So higher hydro rates in homes and our businesses' rates went up even more, but the average is 60%.

And they left us \$38 billion in debt. We have no lessons to learn from the NDP about the future of the electricity system in this province.

Ms Churley: Minister, you don't have a clue what you're talking about. You should get your facts straight. The bottom line here is that your dirty deal will mean much higher rates. That is a fact now, and you should admit it. It is also going to mean more pollution, because those coal plants will be burning more of the time to sell power to the US.

You tried to sell this deal by saying that rates would come down, and so, may I add, did Donald Macdonald, the former Liberal cabinet minister you hired who said we should take a leap of faith and support deregulation and privatization.

Minister, you are the one who is responsible and accountable here, and I am asking you, will you resign if electricity privatization does not result in the lower rates you've been promising?

Hon Mr Wilson: What we'll have in this province, like so many other jurisdictions now in the world, will be competitive electricity rates for the first time in the 93-year history of our electricity system. Competitive rates have brought, in the telecom business, in the natural gas business, even with the bump we saw last year and earlier this year, overall lower rates than we would have had under the old monopoly system.

The honourable member talks about selling power to the US and she says that somehow deregulation or introducing competition will be bad for the environment. There's no environmental group in this province today, whether it's the Clean Air Alliance, Pollution Probe etc, that believes the environment will get worse. In fact, for the first time, green energy and the ability for consumers to buy green energy, like the windmill that's on the top of Blue Mountain—you'll be able to buy that power and it will no longer be illegal.

Under their system and, God love you, some Tories in the past under previous governments, it was illegal to buy green power. It won't be—

The Speaker (Hon Gary Carr): The minister's time is up.

ACADEMIC TESTING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Education. Mon amie, it looks like the dog ate your homework again. Your fumbling Education Quality and Accountability Office lost 2,000 grade 6 tests, and parents and teachers are reeling. Your office doesn't know which schools are affected and when or if these tests might be found. You've blown it on this \$9-million test, and the total of what you have bungled on these tests is about 20 million bucks. Instead of investing in things that really matter, investing in students, you're throwing away money on an inefficient bureaucracy, something you would know much about. My question to you is, when is it going to stop?

Hon Janet Ecker (Minister of Education, Government House Leader): To the honourable member, I appreciate his concern for my dog, but I don't have one and there's nothing wrong there. But I would like to assure the honourable member that nothing has been lost. No money has been wasted. There have been some information technology issues, which EQAO is dealing with, and that is the extent of the problem.

Mr Marchese: Reports from the Hamilton Speculator—they could be wrong—and other reports from Ottawa say that 2,000 tests have been lost. I'm happy to hear the government obviously saying that they haven't been lost when so many reports from the quality and accountability office are saying, "We can't find them. We're working hard, but we can't find them," and the minister says, "No, they're not lost." It's interesting.

Hundreds of Ontario schools are scrambling to correct mistakes made by your office, after a nightmare of a testing season. Some 2,000 of them lost, data not recorded, inaccurate student test results, chaos for boards, more paperwork for overworked school staff, and she says nothing has been lost. I don't get it.

When are you going to listen to teachers and let them teach our kids and learn in peace, and finally admit that your testing scheme is a boondoggle? When are you going to admit that?

Hon Mrs Ecker: I appreciate that the Hamilton Speculator has a very entertaining writing style. I would like to caution the NDP. I thought we in this Legislature gave them resources for research. I would encourage you to use them, please.

There have been some computer glitches about reading the results. What the EQAO is doing is going back to the original test results and marking them, doing it manually to ensure all the data are there. It does not affect the province-wide standards. It does not affect the standings of schools. It does not affect the individual outcomes for

students. They are working to ensure the computer glitch is settled.

I appreciate the honourable member's concern. I also am very surprised, given that his government and his party brought in a Royal Commission on Learning that recommended testing. They supported it. Now he says they don't support it. Flip-flop from the NDP, yet again.

HEALTH CARE FUNDING

Mr Dalton McGuinty (Leader of the Opposition): My question's for the Minister of Health. In his recent report, the Provincial Auditor found that, despite the fact that Health Canada and your own expert medical panel were approving medications, prescription drugs, the government was refusing, you were refusing, to pay for them. Of the 182 medications recommended by your own expert medical panel, 142 were not included in the provincial drug plan. I'm talking here about drugs that save lives, drugs that heal people, drugs that treat pain. Minister, isn't making sure that these drugs are available to our families more important than a corporate tax cut?

Hon Tony Clement (Minister of Health and Long-Term Care): As the honourable member is undoubtedly aware, one of the fastest-growing areas of provincial expenditure—incidentally, with 100% provincial dollars, no federal dollars whatsoever—is on the drug formulary and the Ontario drug benefit and Trillium drug plans. This fiscal year, for instance, the budget has increased by close to 17%. This is something that has happened year over year.

We are very interested in the auditor's findings. I can tell the honourable member that on any potential savings the auditor finds, of course we will follow up on that. We would like to reinvest those in priority health care areas. You may know that our Premier has taken a leadership role nationally in working with other Premiers to ensure we are looking at national solutions—with the federal government, incidentally—when it comes to the appropriate way to approve additional medications on our drug formularies.

Mr McGuinty: Minister, I'm looking for you to provide some leadership when it comes to championing the cause of health care for all Ontarians. I expected you to stand up just a minute ago and say, "I will not stand for this \$2.2-billion corporate tax cut, because it's coming at the expense of meeting my health care responsibilities." That's what I expected you to say.

Let's talk about Visudyne for a minute. Visudyne is an important medication that saves vision. Without it, Ontarians are literally going blind. Five provincial governments—Alberta, Quebec, Manitoba, Nova Scotia and Saskatchewan—already insure Visudyne. They cover this disease that affects our parents and our grandparents. We are one of the last provinces that hasn't added this sight-saving drug to our drug plan.

Tell me again, why is it we can't afford to fund Visudyne in Ontario, but on the other hand we've got \$2.2 billion for corporate tax cuts?

Hon Mr Clement: As the honourable member knows, our tax cuts have created jobs and opportunity and economic growth in our province. If the honourable member were really interested in better health care for Ontarians, he'd ask his federal kissing cousins why we're spending \$750 dollars a second on health care, while Ottawa contributes just \$107. He'd ask his federal counterparts, all Liberals, why they are not living up to their responsibilities under the Canada Health Act.

I would like to ask the honourable member, did he agree with Brian Tobin when he was Premier of Newfoundland? Brian Tobin said at the time, "I believe, as do my fellow Premiers, that an urgent and substantial allocation of federal funding is needed to meet the needs of our health care system. Canadians expect their federal government to be a full partner in the health care system. This cannot happen when the federal government contributes only 13 cents to every dollar spent on health." Does he agree with Brian Tobin, does he agree with Mike Harris, or is he sitting on the fence with Jean Chrétien?

1500

SERVICES FOR ABUSED WOMEN

Mr Doug Galt (Northumberland): My question today is for the Minister of Community and Social Services. One of the key announcements from the May 2001 budget was an increase in government support for violence against women services. I know that in eastern Ontario there has been a long-standing need to increase the services available to help women who need to flee an abusive situation. This need is especially pressing when children are caught in the middle of domestic violence. Minister, what I'd really like to know is how this announcement will benefit communities in eastern Ontario and how many long-needed spaces will be added to the violence against women system.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Expanding supports to victims of crime is an important priority and an important responsibility, particularly providing supports to women who are seeking to flee violence in the home. We all look at our homes as a place of sanctuary and I think that, for far too many women, when they put the key in the door is when the fear begins.

We will be making some substantial expansions throughout eastern Ontario, including establishing two new shelters for violence against women in Ottawa, one in the east end and one in the west end, adding 40 beds to the system. We'll be adding another five beds in the city of Kingston and refurbishing an additional 20 there. In Lindsay and Brockville, we will be replacing two shelters that were in poor condition and refurbishing an additional 28 beds. This is in addition to the substantial amount of effort my colleague the Attorney General has made in expanding our domestic violence courts. It demonstrates the strong commitment we have to providing supports at the community level in this important responsibility that

we all share, not just those of us in government but as people in our society.

Mr Galt: Thank you very much, Minister. Those investments are certainly good news. In my own riding, after previous governments refused to open a shelter for women, we opened one in the winter of 1997, and I know how appreciated it was.

The investments in new and refurbished shelters are certainly a step in the right direction, but this investment is only one part of the approach the government needs to take to stop domestic violence. We also need a strong network of services and other resources to help women in an abusive relationship. There need to be increased counselling supports for women and children who are victims of domestic violence. We also need better supports in the justice system to deal with domestic abuse.

Beyond the bricks and mortar of new shelter spaces, what action has the government taken to make sure there are strong services, to make sure there's more than just a bed?

Hon Mr Baird: There had been some criticism that we've put so much emphasis as a government into expanding the domestic violence courts through a successive number of Attorneys General. That's why we've increased some support at the community level. In last year's budget we added \$10 million to help children who were the victims of violence and witnesses of violence, \$5 million for transitional programs. We've also increased operating supports for shelters by \$3 million this year, going to \$9 million. We've added a substantial amount of support.

One of the advantages people in the city of Toronto have compared to people in rural Ontario, like the member for Northumberland's constituency, is benefiting from the Assaulted Women's Helpline. A group came forward to the government requesting some financial assistance to expand the system right across the province, and we were pleased to provide more than \$4 million of financial support over the next number of years to make that a reality. That also included more than \$200,000 to ensure we can expand services and supports to francophone women who are seeking services and support in French, in their own language.

GOVERNMENT ACCOUNTABILITY

Mr John Gerretsen (Kingston and the Islands): My question is to the Premier. I'm sure you will agree with me that the integrity of this assembly and the proper and effective functioning of its officers and committees are of critical importance in our parliamentary democracy. One of those officers is our Provincial Auditor. His mission is to assist the assembly in holding the government and its administrators accountable for the quality of the administration's stewardship of public funds, something we're all interested in.

Premier, as you know, on page 2 of the auditor's report, the auditor felt obligated, for the first time in the nine years that he has been auditor, to actually indicate

that a ministry, the Ministry of Transportation, acted contrary to section 10 of the Audit Act in that the senior management of the ministry "hindered the audit process" by not giving the staff of the auditor "full access to pertinent files," and not providing all the necessary information. Do you not agree with me, Premier, that under these circumstances the minister should step aside until such time as—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

Hon Michael D. Harris (Premier): Actually, nothing could be further from the truth. If you understand the purpose of the auditor, he is our friend—he is the politician's friend, he is the public's friend—in holding the bureaucracy accountable.

Interjections.

Hon Mr Harris: To respond to all the interjections too, if you want me to answer all those, quite appropriately it is not something that at the level of that inquiry involves the minister, nor should it involve the minister, and in fact, it would be inappropriate to involve the minister.

What occurred was, the auditor requested information and the deputy at the time felt she was complying with both the confidentiality of cabinet and the Audit Act; the auditor disagreed. The deputy did the correct thing, took it to my deputy, and the matter was resolved to the satisfaction of the auditor. The auditor got the documentation that the auditor requested, and I believe he acknowledges that, yes, the protocol he worked out with my deputy was appropriate.

That's where those requests at that stage—

The Speaker: I'm afraid the Premier's time is up.

Mr Gerretsen: Premier, you know that the minister is ultimately responsible for the goings-on within a department. But it goes much further than that. I would ask you to look at page 243, where the subsequent minister, in a letter that he wrote to the auditor, states unequivocally, "I appreciate the gravity of the issues you raised and as I said at our meeting, I am deeply distressed at the matters brought to my attention."

How can you expect us to accept your answer when, in effect, the successor to the then minister completely agrees that those were issues that should have been dealt with, were of grave importance and were contrary to the Audit Act? How can you allow a minister to function within your cabinet who has contravened section 10 of the Audit Act and in effect prevented an officer of this assembly from doing the proper work for all of us?

Interjections.

The Speaker: The Premier's time will start now.

Hon Mr Harris: I know the member opposite doesn't wish to read page 271, and I understand your selective reading. If you understand the way the process works at the early stage, it involves the bureaucrats. It was resolved by the bureaucrats. However, when you find the auditor is ready to make a report, at that point it would be brought to the attention of the minister. That would be the first opportunity the minister would have to look at it.

The minister made the appropriate response. All the procedures were followed. The protocol has been done there. It is actually quite a routine matter.

Mr Gerretsen: On a point of order, Speaker: Page 271—

The Speaker: Don't waste time in question period going back like that. I've said it before: don't waste time in question period doing that.

1510

COMMUNITY CARE ACCESS CENTRES

Mr John O'Toole (Durham): My question is to the associate minister of health and long-term care. I know I could just step forward and speak to her directly as I often do, but the importance of asking this question on the public record is to allow the minister to respond and I can send it to my constituents.

Minister, as you might know, the Durham MPPs, Team Durham, recently had the opportunity to meet with Durham Access to Care people, as we do quarterly, just to keep in touch with their concerns and these volunteer boards.

Laughter.

Mr O'Toole: There's quite a bit of humour going on here just now.

By way of background, this CCAC in Durham has an excellent reputation for assisting residents of Durham riding, and indeed the entire Durham region, in care in people's homes. Some of their achievements include a five-star rating for hospital-community care access relations on the OHA hospital report card, only one of two—

The Speaker (Hon Gary Carr): The member's time is up.

Mr O'Toole: I seek unanimous consent to finish my question.

The Speaker: No. It was your own members laughing.

Interjections.

The Speaker: Order. The minister's time is to respond.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the member for Durham for his question. I also want to say that it's always a pleasure to hear that a community care access centre is running efficiently, running effectively and is serving the people of its area. From that standpoint I'd like to applaud the CCAC and Durham.

I would like to say, though, that the member raises a very interesting question when he talks about the community advisory council. If the legislation is approved and it has royal assent, it is our intention to set up a council within each community so that the long-term-care facilities, the community services, the hospitals and the CCACs can come together to make sure that we keep the continuum of care going within the community, so that we best serve the people of that community.

What will happen in this particular case is that community services such as were talked about by the member

would be integrated into the system as they haven't been before, so that information and referral could be passed on to the people of the community. We believe this will make a better—

The Speaker: The minister's time is up. Supplementary.

Mr O'Toole: Thank you very much for that very detailed response, Minister. I know in responding to my constituents, the attendant care and hospice care are very important ongoing services that should be coordinated, and I believe that you have the courage to move forward with that coordination.

I also want to be assured that the Durham MPPs are very supportive of the current board and CEO of Durham Access to Care. They are working to budgets. They are also serving people. I support them, and I support you as minister to do the right thing and to move this legislation forward to provide coordinated services, not just in Durham, but for all the people of Ontario who need services in their home, closest to where they need them.

Hon Mrs Johns: I missed the question there. Let me just say that when it comes to community care access centres, what we want to do is to ensure that we have a consistent program across the province; we want to make sure that we have consistent governance models. Hence we're bringing forward Bill 130. We also want to ensure that there's more accountability within the system, and so we're bringing through a number of initiatives—in the legislation and outside the legislation—to ensure that there's a strategic plan, that it meets the government's vision, and the government's vision is very clear: to ensure that the people of the province get the services where they need them and when they need them.

We also want to develop an evidence-based performance measurement so that we can ensure that people are getting the services they need. We want to also look at common benchmarks. All of these things will be happening with the Ministry of Health over the ensuing months.

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Tony Martin (Sault Ste Marie): My question is for the Minister of Citizenship. We're on day four of public hearings on the ODA and the message is loud and clear: your ODA bill just doesn't cut it.

Yesterday Anna Germain asked, "Is this all that the government can come up with, a planning exercise that may give an illusion of doing good? What a shame. This bill is a slap in the face of all who waited for real help with dignity and equity."

The Canadian Hearing Society states, "Without amendments this bill is, at best, a missed opportunity. At worst, it will create new barriers and will be costly in time, money and human dignity."

We will be putting forward significant amendments to this legislation. Minister, will you commit right here and

now to making all the changes necessary to make this a bill worth saving?

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I have been reading each and every one of the briefs that have been presented. I have been encouraged by the manner in which so many organizations across Ontario have embraced this legislation and felt that it was a good first step. They want to work with the government in developing it.

I find it passing strange that the member opposite has yet to indicate to the disabled community of this province what he and his party are prepared to do for disabled persons. You've made no commitment whatsoever. You made no commitment to Gary Malkowski when he was a member of your caucus. You made no commitment when you ran up a \$50-billion deficit in this province and had no legacy to show for the disabled persons in this province.

Yes, this government is proceeding with this historic legislation because they waited for five or six years of your government, and this government's going to deliver on its promise for an Ontarians with Disabilities Act.

Mr Martin: Well, Minister, I've been to all the hearings. Even the people you've brought in to speak favourably on the bill can only say, "Better than nothing." More people say that your legislation will make things worse for people with disabilities. The Multiple Sclerosis Society says, "We regret we must voice our opposition to this bill unless you are prepared to make major amendments." Will you listen, Minister? Will you make the amendments and fix this bill?

Hon Mr Jackson: The government has indicated clearly that through the process of public consultation we will have opportunities to strengthen this bill. We will have an opportunity to clarify that there are mandatory provisions in this legislation, unprecedented; that in this legislation, for the first time in Ontario's history, we will make a legislated, mandated directorate for disabled persons, that they will have a voice. They will be consulted in the construction of the regulations that will govern this bill and the conduct of municipalities and all government agencies.

The member must be sitting in on the wrong hearings. I have the brief from the Canadian Paraplegic Association Ontario. It clearly says in their brief, "The CPA Ontario is pleased to lend its support to this historic legislation." They support it. They want to work with the government—

Interjections.

The Speaker (Hon Gary Carr): Order. The member for Prince Edward-Hastings, please come to order.

Sorry for the interruption, Minister. His time was almost done, but I apologize for cutting him off at the end.

LONDON HEALTH SCIENCES CENTRE

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. I want to refer you

to a November 29 article in the Chatham Daily News in which your spokesperson Gordon Haugh makes it quite clear that you do not intend to reinstate the pediatric cardiac surgery program at the London Health Sciences Centre. Mr Haugh specifically relates that decision to the coroner's investigation into deaths that resulted from two procedures undertaken in the pediatric cardiac surgery department of the London Health Sciences Centre.

This is consistent with the attempts of government members to defend the cutting of 18 programs at the London Health Sciences Centre. Your colleagues from the London area have repeatedly referred to questions of clinical standards, as if concerns about patient safety were the reason for the shutdown of these programs. I suggest to you that this is clearly an organized line of defence and, whoever has orchestrated it, the result is the same. You have publicly called into question the competence not only of an individual surgeon but of the entire pediatric cardiac surgical unit of the London Health Sciences Centre. You've exploited personal tragedies and heightened the anxieties of families who have sought treatment for desperately ill children at that centre. Minister, how can you permit such an inexcusable attack as a defence for a cost-cutting decision?

Hon Tony Clement (Minister of Health and Long-Term Care): I'm a human being and I will do my best not to lower myself to the level of that question. I'm really quite shocked and disappointed with the allegation that the honourable member has made. I will merely put on to the record one more time that, from our perspective as a government in Ontario, we wish to ensure that there is clinical efficacy in all of our hospitals, that they meet the standards that we expect for every single patient—children included, and especially.

We have evidence that when it comes to these kinds of medical procedures to which the honourable member refers, it is absolutely clear that there has to be a certain level of frequency and a certain level of volume. This is something the Ontario Hospital Association has agreed to, as well as the deputy chief coroner. We want the best results in our hospitals, regardless of location. That includes the London hospital and it certainly includes—

The Speaker (Hon Gary Carr): Supplementary?

Mrs McLeod: Lower yourself, Minister. That's why I asked the question, because I think it is important finally to put the facts of the coroner's investigation on the table.

Let's make it clear: there are four categories of risk in pediatric cardiac surgery. In the two higher risk categories, there are 13 specific types of procedures performed. The coroner investigated concerns related to two specific types of procedures. The concerns of both the coroner and the independent reviewer were with low volumes in those two procedures and certainly not with the competencies of the surgical team, nor was there any recommendation from the independent reviewer that the pediatric cardiac surgery program should be shut down.

I suggest to you that concerns with two procedures are not a justification for shutting down the entire pediatric cardiac surgery program. I suggest to you further that

concerns with two procedures in the pediatric cardiac surgical program are not a justification for shutting down 17 other totally unrelated programs.

Minister, these were cuts made to the London Health Sciences Centre because you demanded that the London Health Sciences Centre balance its budgets. Will you stop perpetuating and stop your members from perpetuating this completely false and inexcusable defence—

The Speaker: The time is up.

1520

Hon Mr Clement: The honourable member knows full well that base funding for this hospital has increased by 25% in the last three years. So it is not a question of money; it's a question of performance in every single case. We judge performance of every hospital in this province.

The honourable member knows, because I know she was briefed by the deputy chief coroner, that it is not about two procedures; it's about 56 procedures.

Mrs McLeod: No, it's not.

Hon Mr Clement: It is.

The honourable member knows that the two procedures to which she refers have been characterized by the deputy chief coroner as harbingers, as indications that there are other difficulties in the program. The honourable member knows that because she was briefed by the deputy chief coroner. I encourage her to do what is best for Ontarians and their health when asking questions the way she asks them.

SCHOOL BUSES

Mr Bill Murdoch (Bruce-Grey-Owen Sound): My question is to the Minister of Education. As she already knows, and a lot of people know, we've had difficulty in our riding with the Bluewater board of education and funding for our busing. The formula just doesn't seem to work that well in rural and northern Ontario. My board has been forced into a deficit position.

I would like to ask the minister what she can do this year to help out my board and many other boards in rural Ontario with the busing situation, as there are many boards facing this problem.

Hon Janet Ecker (Minister of Education, Government House Leader): I certainly appreciate the question from the member from Bruce-Grey-Owen Sound on this issue. I agree that bus transportation is an area where additional support is required for our bus operators. The government has done this on a one-time basis before. We will be doing it again this year. Details of that announcement will be coming out within several days.

Mr Murdoch: OK, that sounds like you've solved my problem for this year. It sounds like that, and I'll take your word. That's OK for this year, Madam Minister. What are we going to do from now on, though? The formula does not work in rural and northern Ontario, so we need to work on this formula. Will you give this House today your promise that you will sit down—

Interjections.

Mr Murdoch: Are you heckling me? It's bad enough to get heckled from the other side, but when you get your own guys heckling, especially Mr Stockwell—

Minister, will you commit today to help us work out this formula so we don't have to come begging for money every year to help us out with our busing?

Applause.

Hon Mrs Ecker: I appreciate the question from the honourable member, and I think perhaps I'm getting overshadowed here by the applause for the honourable member's supplementary. When it comes to fighting for his constituents, he is rarely satisfied. I appreciate that.

There are two issues: remote and rural boards have required additional supports. We have indeed done that in many ways in the last year or two with funding, given them additional supports. We quite recognize that with declining enrolment, some of these remote rural boards have an additional challenge in transportation. We have pilot projects which are looking at how best to work out these funding arrangements, and we will indeed be making decisions around how we should move forward. I agree it is not an equitable funding mechanism right now. We need to change it. We're working to do that.

Mr Murdoch: Point of order, Mr Speaker.

The Speaker (Hon Gary Carr): Stop the clock.

Mr Murdoch: Mr Speaker, do we still have late shows? Is that still on? OK. I was just wondering.

ASSISTANCE TO FARMERS

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): My question is for the Minister of Agriculture, Food and Rural Affairs. Throughout the highways and byways and in every barn in Ancaster and Flamborough, farmers are raising questions about the long-awaited made-in-Ontario safety net farm program. We know that talks and consultations have been held for months and that you have been making grandiose statements about the program—yet still nothing.

Minister, the time for talk is long past and the time for action is now. You've had a proposal on your desk since the spring, but only now have you commenced negotiation with the federal government. While little has been happening, Agricorp tells us that this year we'll see the highest crop insurance payout ever. Our farmers are worried, and with good reason. With no market revenue in place for crops to be harvested and low yields, this is a grim scenario, as you know, for our farmers. I ask, will you announce your made-in-Ontario safety net program? When will you make that announcement for our farmers?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Our concerns for the agricultural community and the contribution they make to the economic vitality of this province is well understood by this side of the House. We contributed \$90 million in the spring when they had some difficulties. After that, we sat down with them and I'm very pleased to say they did work with us to develop a made-in-Ontario safety net solution which I have now forwarded on and we're

negotiating with the federal government. As you know, this is a tripartite agreement, and as we go through negotiations, I'm hopeful that the federal government understands the severity of this, as we do, and comes forward and signs this agreement very shortly.

Mr McMeekin: Grain and oilseeds, edible horticulture and others are all having very serious problems, as you know. They've got to be addressed, and they've got to be addressed now. It's not enough to repeatedly raise expectations and talk about these ongoing negotiations about the made-in-Ontario program. In fact, it's well beyond time that we put some real substance to what I would concede are some well-meaning promises.

Minister, I'd like to know what you're waiting for. You've had this report since the spring. Will you today, right now in the House, assume the leadership role we all expect on this side and that side of the House from a Minister of Agriculture? Will you tell Ontario farmers finally and specifically how much money will be allocated and exactly when you intend to announce our made-in-Ontario program? Will you provide them with the answers they're seeking and deserve?

Hon Mr Coburn: I'm not prepared to announce the funding portion of it today. We're negotiating with the federal government, and you can appreciate how hard it is to pin them down on anything. I have got the assurance and confidence and support of our caucus here on the made-in-Ontario solution.

Some of the points, in case you missed the press release, Mr Speaker: crop insurance is available for 53 commodities in which premiums are cost-shared by producers, the federal government and the provincial governments; an income support program for producers of grains and oilseeds, commodities that governments elsewhere subsidize highly and unfairly; self-directed risk management for our fruit and vegetable growers and maple syrup producers as an alternative to crop insurance; working to enhance the net income stabilization account, NISA, a national program that allows farmers to better balance income fluctuations; and a disaster assistance program to be used as required by producers faced with circumstances well beyond their control.

1530

POST-SECONDARY EDUCATION

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of Training, Colleges and Universities. We know that Ontario's colleges of applied arts and technology have played a vital role in preparing Ontarians for leading-edge careers in our province. Colleges such as Centennial College of Applied Arts and Technology in my riding of Scarborough Centre are focused on career-oriented and applied education, support a substantial part of our apprenticeship system and are responsive to the needs of their local communities. Minister, yesterday you introduced legislation that would create a new charter for Ontario colleges and recognize the increasingly important role that they play in our

communities and economy. Could you please tell this House how this new legislation will strengthen Ontario's colleges of applied arts and technology?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I appreciate the question from my colleague from Scarborough Centre, who represents her riding, but especially Centennial College.

If passed, the Ontario Colleges of Applied Arts and Technology Act, 2001, will fulfill a commitment made by our government to provide a new charter for Ontario's colleges, and it will reform the colleges, allowing them to become more flexible, more entrepreneurial, responsive and market-driven, which of course is not only good for students; it's good for all of Ontario, because we do want to provide trained students to take the jobs, especially within their own local community. So accommodating a greater degree of diversity among the colleges to address the aspirations of students and the needs of employers and the communities served by colleges is something that I know Centennial will very much appreciate.

I did notice today that the president of the student organization at Centennial College was very pleased with this legislation. Thyagi DeLanerolle, the president—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up; she went over the time. Supplementary?

Ms Mushinski: Minister, I met with Thyagi last week, and I know she's particularly pleased with this piece of legislation, which is clearly an important step in our government's plan to ensure future growth and prosperity in Ontario. If passed, this legislation will recognize the excellent and important work that Ontario's colleges are doing and give them the tools to play an even more important role. It's clear that as the demands of students and employers change, our post-secondary education system must change too. As in all developed economies, education and training is becoming an increasingly important factor in economic development in Ontario.

While I'm pleased that our government is increasing autonomy and flexibility for our colleges to respond to these changes, I'd like to ask the minister how the Ontario Colleges of Applied Arts and Technology Act fits into our government's overall agenda for post-secondary education and training.

Hon Mrs Cunningham: As I was saying, Thyagi DeLanerolle is delighted to see Ontario recognize and bestow legislative rights to student governments, and that's extremely important, because students do have a say in the operation of their colleges and the programs that will be offered.

The increased capacity in the next few years for our colleges and universities will be there to address the anticipated growth of our students over the next 10 years. With the partners' contributions, we're spending over \$1 billion in new buildings: 25 new college buildings, 25 new university buildings and nine for collaborative programs. This is an exciting time. It's the largest growth period in 30 years in our post-secondary system.

The operating grants will be up by \$293 million above 2001 levels. These are more resources so the colleges and universities can plan for this new double cohort of students.

COLLÈGE DES GRANDS LACS

M. Gilles Bisson (Timmins-Baie James): Ma question s'adresse à la ministre des Collèges et Universités. Comme vous le savez, madame la ministre, aujourd'hui la Cour supérieure de l'Ontario a donné sa décision envers le Collège des Grands Lacs. La cour a ordonné que le collège ferme ses portes aux élèves de première année.

Il y a deux questions qui sont très importantes et vous avez besoin d'y répondre pour les étudiants.

La première question, c'est qu'il y a à peine sept jours avant la fin du semestre d'automne, et les élèves aimeraient savoir s'il est possible, dans le moindre des moins, s'ils seraient capables de finir leur semestre d'automne pour avoir leurs crédits pour continuer leur prochain semestre à une autre institution.

La deuxième est la question des frais de scolarité. Beaucoup de ces élèves ont payé leurs frais de scolarité au collège, mais le collège va fermer. Les élèves veulent être rassurés que les frais de scolarité leur seront remboursés et qu'ils peuvent utiliser cet argent pour continuer leur éducation dans une autre institution. Êtes-vous préparée à répondre à ces deux questions?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I'll make every effort to do so in answering my colleague.

I think it needs to be made very clear that when these things happen across the system, the government remains committed to ensuring that our students get the high-quality education they expect, and especially our francophone students in southwest and central Ontario.

So in answer to the first question, I'm personally pleased that the court has concluded this uncertainty for the students. The first-year students, in fact, will be expected to finish their education. Arrangements were made, even before we got into this situation, that they work with Collège Boréal and others. There will be classes right here in Toronto.

With regard to the fees, I don't have a direct answer, but I will speak to my colleague, upon getting the information. Normally, these kinds of things are worked out fairly with students. That would be our expectation this time as well.

M. Bisson: Point d'ordre.

The Speaker (Hon Gary Carr): Members, the time is up.

Mr Bisson: Point of order.

The Speaker: Oh, point of order. Sorry.

Mr Gilles Bisson (Timmins-James Bay): "Point d'ordre" means "point of order" in English. I'm just notifying you that I'm requesting a late show on that answer.

The Speaker: I didn't know what he was after. You can file the appropriate paper with the table.

PETITIONS

PODIATRIC SERVICES

Mr David Caplan (Don Valley East): I have a petition. It is titled "Foot Care Is Not a Luxury."

"To the Legislative Assembly of Ontario:

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on podiatrists for relief from painful foot conditions;

"Whereas new Harris government policy will virtually eliminate access to publicly funded podiatry across vast regions of Ontario;

"Whereas this new Harris government policy is virtually impossible to implement in underserved areas across Ontario;

"Whereas this policy will lengthen waiting lists for patients, and therefore have a detrimental effect on the health of Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to cancel the delisting of podiatric services."

It's an excellent petition. I agree wholeheartedly and I have affixed my signature.

DOCTOR SHORTAGE

Mr John O'Toole (Durham): "To the Legislative Assembly of Ontario:

"Whereas the provincial Durham riding, including Clarington, Scugog township and portions of north and east Oshawa, comprise one of the fastest-growing communities in Canada; and

"Whereas the residents of Durham riding are experiencing difficulty locating family physicians who are willing to accept new patients; and

"Whereas the good health of Durham riding residents depends on a long-term relationship with a family physician who can provide ongoing care; and

"Whereas the lack of family physicians puts unnecessary demands on walk-in clinics and" hospital "emergency departments;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to immediately assess the needs of Durham riding and the Durham region, and work with the Ontario Medical Association, the College of Physicians and Surgeons of Ontario, local health care providers and elected officials to ensure there are enough family physicians available to serve this community;

"Make every effort to recruit doctors to set up practices in underserved areas, and provide suitable incentives that will encourage them to stay in these communities;

"Continue its efforts to increase the number of physicians being trained in Ontario medical schools, and also continue its program to enable foreign-trained doctors to qualify" to practise medicine "in Ontario."

I'm completely in support of this petition. On behalf of my constituents, I'll add my name to the list as well.

LONDON HEALTH SCIENCES CENTRE

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people in southwestern Ontario, and particularly children, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortage in the region;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand that the Mike Harris government take immediate action to ensure these important health services are maintained, so that the health and safety of people throughout southwestern Ontario are not put at risk."

I too have signed this petition.

1540

LONG-TERM CARE

Ms Shelley Martel (Nickel Belt): I have a petition sent to me by SEIU local 204. It reads as follows:

"Whereas the Ontario government abandoned the minimum requirement for 2.25 hours per day of nursing care for seniors in nursing homes; and

"Whereas the Ontario government's own study in January 2001 showed Ontario's long-term-care residents receive less nursing, bathing and general care than elderly people in comparable jurisdictions in Canada, the United States and Europe; and

"Whereas poor management of residents leads to excessive acute care hospital stays and added strain on staffing levels in long-term-care facilities; and

"Whereas Ontario's long-term-care residents now receive an average of only 2.04 hours of care per day, well below the level of care of 4.2 hours that even the state of Mississippi provides; and

"Whereas US studies have indicated that total nursing care hours for long-term-care residents should be in the range of 4.55 total hours of care per resident per day;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to regulate a minimum requirement of at least 3.5 hours of care per resident per day."

I agree with the petitioners and I have affixed my signature to this petition.

HOME CARE

Mr Gerry Martiniuk (Cambridge): I have a petition signed by close to 500 good citizens of Cambridge, which reads:

"We, the undersigned, wish to express our concerns over the effects of ongoing home care cuts of our most vulnerable citizens."

I affix my name thereto.

EDUCATION FUNDING

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): "To the Legislative Assembly of Ontario:

"Whereas the funding for school boards is now based on student-focused funding legislative grants for the 2001-02 school board fiscal year;

"Whereas the Hastings and Prince Edward District School Board is in a period of declining enrolment, a trend that is projected to continue over the next five years;

"Whereas applications of the student-focused funding model for 2001-02 does not allow sufficient funding to the Hastings and Prince Edward District School Board for secretarial support in schools, principals and vice-principals, transportation, or school operations;

"Whereas costs in these areas cannot be reduced at the same rate as the enrolment declines,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reassess the student-focused funding legislative grants for the 2002-03 school board fiscal year to provide additional funding for those areas where funding is insufficient and to adjust future student-focused funding legislative grants to address the situation of declining enrolments faced by the Hastings and Prince Edward District School Board and other boards in Ontario."

I sign my signature to this petition.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have a petition sent to me by my friends at Seneca College. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas an internal government document indicates the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same internal document indicates the government is also considering completely cutting all

funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas further cuts would run counter to the support identified for regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

"Whereas the Conservative government received \$114 million this year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas other provinces are implementing innovative, affordable and accessible child care programs such as Quebec's \$5-a-day child care program; and

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government's mandate; we demand future federal Early Years funding be invested in an expansion of affordable regulated child care."

I agree with these petitioners. I have affixed my signature to this petition.

CRUELTY TO ANIMALS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

AUDIOLOGY SERVICES

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): This is the last cluster of a thousand names that I intend to present on the audiology petition. I pre-

sent them today on behalf of the following communities: Nepean, Orléans, Ottawa, Gloucester, Waterdown, Burlington, Windsor, Leamington, Kingsville, Belle River, Essex, Staples, Stoney Point, Osgoode, Grand Valley, Bolton, Coldwater, Bowmanville—

The Acting Speaker (Mr Michael A. Brown): Order. It's not necessary to read all the petitioners or places.

Mr McMeekin: They're all listed here.

The Acting Speaker: Well, you don't need to do that. Just the wording of the petition, please.

Mr McMeekin: I was told by the other Speaker that I should do that, but I'll take your word for it, Mr Speaker.

The petition reads as follows:

"Whereas services delisted by the Harris government now exceed \$100 million in total;

"Whereas Ontarians depend on audiologists for the provision of qualified hearing assessments and hearing aid prescriptions;

"Whereas the new Harris government policy will virtually eliminate access to publicly funded audiology assessments across vast regions of Ontario;

"Whereas this new Harris government policy makes it virtually impossible to implement services in underserved areas of Ontario;

"Whereas this policy will lengthen waiting lists for patients and therefore have a detrimental effect on the health of these Ontarians;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to permanently fund audiologists directly for the provision of audiology services."

These petitions in total represent 257 communities and in excess of 12,000 names.

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): I have yet more thousands of signatures from people across Ontario supporting adoption disclosure reform. This petition reads:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive

parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a no-contact veto restricting contact by the searching party; and replace mandatory reunion counselling with optional counselling."

I will affix my signature to this petition because I fully support it.

CRUELTY TO ANIMALS

Mr Gerry Martiniuk (Cambridge): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I affix my name thereto.

11550

EDUCATION FUNDING

Mr James J. Bradley (St Catharines): My petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the Harris government's rigid education funding formula is forcing the potential closure of neighbourhood schools such as Consolidated, Dalewood, Lakebreeze, Maplewood and Victoria in the city of St Catharines, and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular

activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature. I am in complete agreement.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: I believe we have agreement among all three parties to move a unanimous consent motion to move the late show for Mrs Cunningham from Thursday night to this evening. I ask for unanimous consent.

The Acting Speaker (Mr Michael A. Brown): Mr Bisson has asked to move the late show scheduled for tomorrow evening with the Minister of Training, Colleges and Universities to this evening. Is that agreed? Agreed.

ACCESS TO LEGISLATIVE BUILDING

Mr Jerry J. Ouellette (Oshawa): On a point of order, Mr Speaker: In accordance with standing orders 132, 138 and 139, I believe there may be an issue of concern whereby the west stairway appears to be blocked and there could be a safety concern. I think the Clerk, under 132, should look into it, as well as 138 with the Sergeant at Arms. Not only is it possibly a fire hazard, but I don't believe the hallways of the Legislature should be used as storage facilities.

The Acting Speaker (Mr Michael A. Brown): Thank you. We will see that the Clerk and the Sergeant at Arms take note of that.

ORDERS OF THE DAY

CONCURRENCE IN SUPPLY

Hon R. Gary Stewart (Minister without Portfolio): Mr Speaker, I seek unanimous consent to call orders 6 to 17 inclusive, so that they may be moved and debated simultaneously.

The Acting Speaker (Mr Michael A. Brown): Mr Stewart has asked for unanimous consent to move government orders 6 through 17.

Interjections.

The Acting Speaker: We do not have consent.

Hon Mr Stewart: I call the sixth order.

Clerk Assistant (Ms Deborah Deller): The sixth order, concurrence in supply for the Ministry of Education.

Hon Mr Stewart: I move concurrence in supply for the Ministry of Education.

The Acting Speaker: Mr Stewart has moved concurrence in supply for the Ministry of Education.

Hon Mr Stewart: Excuse me. Sorry, Mr Speaker, I'm learning slowly.

I move concurrence in supply for the following ministries and offices—

The Acting Speaker: No. The order we have before us for debate is concurrence for the Ministry of Education. It is now time to debate that.

Hon Mr Stewart: For the Ministry of Education.

The Acting Speaker: That's correct. The member for Northumberland.

Interjection.

The Acting Speaker: You had me slightly confused. I'm sorry. The member for Northumberland.

Mr Doug Galt (Northumberland): Thank you very much, Mr Speaker.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: Can you check whether or not there's a quorum present, please?

The Acting Speaker: Is there a quorum present?

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for St Catharines.

Mr Caplan: Wrong member.

The Acting Speaker: No, it should go to the opposition first, I'm told. I'm sorry. I apologize to the member for Northumberland.

Mr James J. Bradley (St Catharines): Ordinarily the procedure is different, but this does allow us in the opposition to begin.

I wish to raise a number of issues of significance. You will know that I have on a number of occasions raised the issue of school closings, and with the Ministry of Education concurrences and estimates being dealt with in this assembly and its committees, it's important that we canvass these issues.

A major problem that we have in St Catharines and indeed throughout Niagara at this time revolves around school closings. This is not exclusive to our area, but it is very important. Our board of education, the District School Board of Niagara, which is the public school board in the area, is faced with the dilemma of a provincial funding formula which is inflexible and provincial rules which militate in favour of school boards closing schools as opposed to keeping neighbourhood schools open even when the neighbourhood does not have a large number of children but a sufficient number to have a school in existence.

In the city of St Catharines there has been a review going on—if I can be parochial in saying St Catharines—dealing with a number of these schools. In our particular case, in the central part of St Catharines, schools that

have been talked about and now are facing the axe are Consolidated school, which has been a long-standing and existing school, and Victoria school. Both have quite a history in this city. They are older schools. They serve neighbourhoods which have been in existence for a long period of time and which are at present in transition.

In the north end of the city, the controversy has revolved around the potential closing of one, two or three of these schools. At the present time, the board is discussing the closing of three of these schools, those schools being Dalewood school, Lakebreeze school and Maplewood school. You can be assured that the parents of the children going to these schools are very concerned about the potential closing. They recognize the great advantages of smaller neighbourhood schools.

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First of all, the children who are going to those schools, and indeed the parents of those children, feel safer in an atmosphere where they don't have to travel a long distance going to the schools. It's not a matter of lack of exercise or somebody being too lazy to go too far. It's a matter of personal safety for these children and it is a great advantage to have them going to a school within easy walking distance of their homes. They have then, at these schools, children in their own neighbourhoods, children they know, families they know.

Because of the size of these schools—that is, the enrolment in these schools—you can be assured that the teachers, the non-teaching staff and the administrative staff get to know the students much better because there are fewer students. They know their problems, they know their challenges, they know their strengths, and they can relate well to the neighbourhood and to the parents. It certainly is, in each of these instances, the desire of the parents in that area to see their children going to a neighbourhood school.

For the community at large, there is an advantage as well, and that advantage is well known; that is, the school buildings are used invariably for community activities. I often think of the Girl Guides and Boy Scouts, those kinds of activities, sports organizations using the building, other community organizations using classrooms or the library or the gymnasium or an auditorium. That's a great advantage to that neighbourhood and to the community at large.

There is the property itself in each of these cases: the green space, the recreational space, the opportunity for children and indeed others to use the property for sports and recreational purposes and simply as a green space within a neighbourhood.

Once the school is sold and the property is disposed of, it is gone. It's not as though they are going to mothball the schools, keep them in existence and then somehow reopen them. The schools will be gone, the property will be redeveloped, and the neighbourhood itself will lose a genuine asset. If you look at the value of the homes and the resale of homes in the neighbourhood as well, they go down as a result of schools being lost. That's one of the assets when people, particularly those with chil-

dren, are deciding where they are going to locate. One of the important factors for people with school-age children is the availability of a close school. This is particularly true at the elementary level, much more so probably than at the secondary school level, and particularly again for the younger grades, where you have junior kindergarten and kindergarten and grades 1, 2, 3, 4 and so on.

The schools also can be used for daycare purposes. They're a wonderful facility for the purposes of pre-school children receiving daycare, which is now an essential service in our communities. As Dr Fraser Mustard has said on many occasions, the earlier these children have access to a learning environment, the better off they are. He's made this presentation both to the government and to opposition people—

The Acting Speaker: Order. Chief government whip. Stop the clock.

Hon Mr Stewart: Mr Speaker, I seek unanimous consent to call orders 6 through 17 inclusive so that they may be moved and debated simultaneously.

The Acting Speaker: Mr Stewart has asked for unanimous consent to deal with concurrences 6 through 17 inclusive. Agreed? Agreed.

Hon Mr Stewart: I move concurrence in supply for the following ministries and offices:

- Ministry of Education
- Ministry of Health and Long-Term Care
- Ministry of the Environment
- Ministry of Energy, Science and Technology
- Ministry of Economic Development and Trade
- Ministry of Tourism, Culture and Recreation
- Ministry of Community and Social Services
- Ministry of Training, Colleges and Universities
- Ministry of Transportation
- Ministry of Northern Development and Mines
- Ministry of Natural Resources
- Ministry of Intergovernmental Affairs

The Acting Speaker: Mr Stewart has moved concurrence in supply for—

Mr Caplan: Dispense.

The Acting Speaker: Agreed.

The member for St Catharines has the floor.

Mr Bradley: To continue my expression of concern on behalf of parents in my community—and I suspect right across Ontario, because I was out at a rally in front of the Parliament Building a couple of days ago where students from Metropolitan Toronto were gathering and asking that their schools be kept open.

In addition to a very inflexible funding formula which confines boards of education, there are incentives for the boards to sell schools. Then they can utilize the money, I suppose, to build other schools. The problem is that you are going to have areas of communities where there are virtually no schools left, and if we follow the pattern, what happens is that in older neighbourhoods families do become older; they become, instead of parents, grandparents. Then they move to different accommodation, often to apartments or townhouses, or they downsize in some way. So what we need, of course, is schools in

those neighbourhoods once again, but the neighbourhoods are built up and the schools are no longer available. The boards of education are, in essence, placed under the gun.

The province smiles because they don't have to worry. The Liberal education critic, Gerard Kennedy, asked the Minister of Education a question the other day; she simply fobbed it off by saying it's the local school board's decision. If the local school board had the flexibility to deal with these matters, it would be much easier. This is not to suggest that never in the history of any community will there be a school that closes, but it will allow the kind of flexibility that allows a school board to look long-term at its needs and obligations and allow them to keep open some neighbourhood schools, which are genuine assets.

I remember a presentation made at the University of Toronto not long ago by James Kunstler where he said we would in fact—he's a futurist as well as being a person familiar with urban architecture and municipal planning issues, and his prediction was that we would be going back to neighbourhood schools, that the large factory-type schools would start disappearing. I don't have this specifically within my own jurisdiction.

I'll tell you who else I feel bad for, and that's the people who are in smaller towns where, for instance, their high school might be the only high school for many miles. When they close that down, that's lost to the community and the students are on buses for a long period of time. In a petition that I've read in the House on a number of occasions I've pointed out some of the assets to the smaller schools that people have brought to my attention. There was a suggestion that the dropout rates for the smaller neighbourhood schools tend to be less, a lower dropout rate than in the large schools that students have to travel a long way to get to; that the participation rate in extracurricular activities tends to be much greater in a neighbourhood school—and it makes sense because they're there and there's not as much time lost in travel, there's not as much concern about movement after dark, that is, students travelling to and from the school after dark.

The students tend to know one another in the smaller school setting. The principal, vice-principal—if there is a vice-principal left in the school these days—the teachers and the custodial staff, the secretarial staff, tend to know students on a much more intimate basis, in other words a better basis, and know who should be in the school and who shouldn't be in the school, where those schools are smaller. So I can understand why the parents from Maplewood school and the parents from Lakebreeze school and from Dalewood and from Victoria and from Consolidated are very concerned when they see the potential of those schools being closed and why they would rally against that and why I'm supportive of the smaller neighbourhood school concept.

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I hope our board of education will take that into consideration, even though I know how confined they are in

their decision-making process by an outdated, outmoded, unfortunate and inflexible funding formula and set of rules and regulations from the Ontario Ministry of Education, all designed, of course, to simply save money, as opposed to investing, necessarily, in education. All this while the province is embarking upon tax cuts which will cost provincial revenues some \$3.7 billion, \$2.2 billion of that being in the corporate tax cut that is forthcoming, about \$950 million in personal income tax cuts and of course the new vouchers, essentially, that will be provided to those who want to put their children in the private school system—private schools which will not be under the same rules and regulations as the public school system. So I make that plea to this government, that they change that system immediately so that boards of education can make decisions which are more favourable to neighbourhood schools.

I notice we are also dealing with the concurrences for the Ministry of Health. Members have noted that I've been on my feet a number of times talking about the problem of macular degeneration. Usually it's age-related. When people get a little older, they have a problem with macular degeneration. There is a treatment for some people—not all of the people, but some of the people—called Visudyne. Visudyne has been approved by Health Canada, because that's what you need. You can't simply allow a drug to be used that hasn't been approved appropriately. I know my leader said five other provincial governments—I think it's now up to about seven other provincial governments—now fund that treatment. A full series of treatments can cost \$15,000, because the treatments are about \$2,500 or \$2,600 apiece. They're about \$1,800 for the Visudyne itself, and then the doctor applying the treatment charges another sum of money on top of that. So it's about \$2,500, to put it in round terms.

There are people who have actually said, "I'm not going to proceed with it. I can't afford it."

Mr Jerry J. Ouellette (Oshawa): What's the success rate?

Mr Bradley: The success rate is about 73%. The member asks a good question.

I know it costs money; I'm mindful of that. But it seems like a good idea. The province said it was going to have a decision in February of this year on the use of Visudyne, and we've still not had that decision. I look at all the other provinces and they all face pressures financially. The federal government, the provincial governments and the local governments all face those pressures. I would hope that we would have an ecumenical and non-partisan effort in this House to try to get Visudyne approved under conditions that are acceptable to the Ministry of Health. It is not to be experimental; it is a proven drug that works, that in some cases can reverse the problem with certain kinds of macular degeneration, and in other cases has had pretty remarkable results. If we can have that covered by the Ontario drug benefit plan, that would be a great advantage.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: I think this is a most riveting presentation by the member for St Catharines, but there is no quorum. We need a quorum.

The Acting Speaker: Is there a quorum present?

Clerk Assistant: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The member for St Catharines.

Mr Bradley: So I hope, because ophthalmologists across this province, particularly those who use this treatment, are convinced that it makes a major difference. The people who have had the treatment who have benefited from it are immensely thankful for that treatment, but unfortunately we have a circumstance where there are people who are forgoing that treatment because they cannot afford it. That is most unfortunate because it is, as I say, a full treatment. If you were to have a full treatment, it could cost \$15,000. This is saving someone's sight. This is not cosmetic surgery or something of that nature. This is saving someone's sight.

Mr Ouellette: Does it bring it back or stop further degeneration?

Mr Bradley: The member asked, "Does it bring the full sight back?" I've heard of cases where the sight was being lost and it has come back, but mostly it arrests what's happening as the sight is leaving. It arrests the leaving of the sight.

The company that produces it is in Mississauga. I forget the name of the company, but it produces Visudyne. It's produced right here in the province of Ontario.

I have raised this, as you know, on a number of occasions in this House and I have to share with some of my colleagues an annoyance about this. You would know what this is like, each one of us. Lyn McLeod has raised this several times. A number of members of the Liberal caucus have raised this issue in this House a number of times, including myself—asked questions, made statements and so on, included it in speeches.

I picked up last Friday's St Catharines Standard and the headline was, "Peter Kormos Raises Issue of Macular Degeneration." The next day, the editorial in the St Catharines Standard says, "We Agree with Peter Kormos," and included two sentences in his speech. I commended Peter the other day. I said, "That's wonderful, to be able to get that." I get the people who phone me and say, "Why aren't you raising it as well?" That's the frustration of this particular place, that having raised it dozens of times, my colleague from Niagara Centre raises it once and he has a good story in the local newspaper, and then an editorial saying they agree with him.

So good for him. I commend him for that. I just did want to indicate to the people who think that it hadn't been raised before that it had been raised dozens of times in this Legislature before. I say that particularly to the editorial page editor of the St Catharines Standard, who perhaps missed the fact that it had been raised many times before in this Legislature.

I'm told that I'm sharing the time with my friend from Kingston and the Islands, so I'm going to allow the time to move to my friend in the New Democratic Party now.

Mr Bisson: Maybe if I raise an issue it will make the editorial in your community as well. It feels so good for the Liberals to cry that one, because that's how we feel sometimes.

I want to raise a number of issues in this particular concurrent supply motion because as members here we know, but those people watching on television—there is always a couple of hundred thousand people watching these debates. It allows us under concurrent supply to basically deal with all of the issues of the ministry because we're voting on the monies to be spent in all of the ministries across the provincial government. That allows me to do a number of things, and I want to highlight a really interesting book that I read. It just came out last Thursday. The author is Erik Peters, the auditor of the province of Ontario. I've got to get myself an autographed copy, because it seems that the copy I've got is autographed, but it's a lithographed autograph. I want the auditor to sign my report, because it is just a magnificent piece of work.

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Basically, I read this story over the weekend. It's a great book. I recommend all my friends and all those people who may not be my friends to read it, because it's an interesting book; it tells a very good story. It tells a story about the bad old Conservative government that was elected in 1995, that came to this Legislature and said, "We are going to be the common sense government. We're going to show you how to manage government like a business." The contention that the Tories were putting forward was that governments in the past—New Democrats, Liberals and Tories—didn't know how to manage, because certainly they had done everything wrong. This new style of management that the Tories were now bringing forward in a regenerated mould as a bunch of Alliance MPPs here in Ontario was that they were going to change things. They were going to change the way we did business, they were going to make government run like a business, they were going to get rid of all those pesky civil servants and they were going to privatize things, where need be, or just not replace workers at all. The contention, again, was that civil servants and legislation just get in the way. "It's just a terrible thing how business and the province can't properly operate," said the Tories, "because of the role of government."

I read the auditor's report on the weekend. As I say, I recommend the book to all my friends. I imagine it's going to be republished, a second and third edition after people have looked at this particular book, because it's so interesting. Do you know what the moral of the story is at the end, when you've read the book? It says the government does not know how to manage. When you read the auditor's entire report, the thing that comes in over and over again as you go through the various sections, where the auditor looks at the practices of the

Tory government when it comes to managing the Ministry of the Attorney General, the Ministry of Transportation, the Ministry of Community and Social Services, and the list goes on, is that these guys don't know how to manage and the revolution has broken down. What he basically says is simply this: we have laid off so many workers across the various ministries of the province of Ontario that in many cases the ministries themselves are not able to fulfill the mandate that they have been charged to do by way of legislation and by way of the people through this Parliament. I'll just give you a couple of examples.

The ministry, for example, decided that it wanted to do a whole road safety program, something that is laudable, something that all members in the House can support, no question; we all want to make the roads safer. They made this great fanfare that this whole road safety initiative was going to be a great thing. We all thought that was a great thing. The problem is, the Ministry of Transportation staffing got decimated by reductions in that ministry, and because the ministry was decimated as far as staffing, they were not able to implement the road safety agenda. As a result of that, we've got all kinds of problems within the Ministry of Transportation that, quite frankly, could put public safety at risk.

One of the things the auditor pointed out, for example, is that we have 30,000 people today who are driving on the highways of Ontario whose doctors have said these people shouldn't have drivers' licences because of medical conditions. Imagine that, Mr Speaker. You're driving down Highway 17 on the way to Elliot Lake someday in your constituency, or I on Highway 11 on my way to Hearst, or my good friend Mr Caplan down the 401, going to visit somebody around the 905 area. There are people, 30,000 of them out there, who are driving today on the roads of Ontario who potentially should not have a driver's licence.

Mr Caplan: How did that happen?

Mr Bisson: I'm going to get to that.

Now, I want to say for the purpose of debate, not all 30,000 of them should be revoked, because I'm sure some of them are OK by now, but they've allowed a cumulative 30,000 people not to be processed. That means a doctor saw somebody in his or her clinic, said, "This person is a stroke victim, this person has epilepsy, this person has a condition that prevents him from driving," signs the paperwork, sends it off to the ministry and says, "This person's licence should be revoked." Because the ministry didn't have the staff to process this information, the licence never got withdrawn. As a result, the auditor is saying public road safety is at risk because we do not have the ministry staff to be able to organize and process this information.

It comes back to the main point of the book, and that's why I recommend this book. It's great reading. Again, the author is Erik Peters. He's the auditor of Ontario and he writes this wonderful book that's called the 2001 Annual Report of the Provincial Auditor of Ontario. I ask you to get it. It's great reading, and not bedtime reading

either, because we don't want to put you to sleep when you read this thing. It basically says that when government refuses to be the government—and like Mike Harris says, "We're the anti-government government"—things break down.

In this case, in the Ministry of Transportation, it certainly broke down, because what we have now is 30,000 people in the system who were supposed to have their driver's licence revoked and never did. The auditor says this is bad for public safety.

Here's a scarier one, again within the Ministry of Transportation. I'm using that because I'm the critic for transportation. There are over 300 drivers who have had their licences reinstated after they were charged, convicted and had their license revoked—guess for what?—for being impaired on our highways. This is a government that tried to make a big fanfare in the first session, when they first got elected in 1995, that they were going to do all kinds of stuff in order to make our highways safer when it comes to drunk drivers, something every government in the past has worked on: the Tory government under Davis and Frank Miller; Mr Peterson and Mr Rae; and Mr Harris. We've all worked on this issue. We don't want to politicize drunk driving because we all understand that as parties we've all worked on that issue to remove drunk drivers from our roads and make the rules a lot harsher.

But because the Ministry of Transportation does not have the staff to administer the cancellation of drivers' licences and their reissuance, we've got 300 people who got their licence back by error. That's shocking. Mothers Against Drunk Drivers, the MADD organization, must be over the deep end on this. They obviously understand, as most of us do, that that means we have 300 dangerous drivers back on the road who potentially will drink again, get behind the wheel and drive their car while impaired. That is sending a really strong message.

I just want to say that we know the biggest way to stop people from doing something like drunk driving is the fear of getting caught. Deterrence is the biggest way to stop people from doing something that's illegal. People in Ontario may think, "Oh, geez, I can get my licence back when I'm drinking and driving. Maybe I don't have to take it too seriously when it comes to the issue of drunk driving." I hope that doesn't happen.

Again, all members of the Legislature—the Tories, the New Democrats and the Liberals—agree more has to be done to make our highways safer and not allow drunk drivers on the highways. But the thing that really blows my mind is that the auditor in his book says, "My God, you guys have bungled it again." If you want to be the anti-government, if you want to be the government that dismantles government, that's the kind of stuff that happens: the system breaks down.

The auditor gets into the issue of food safety. Staffing of the Ministry of Agriculture and the Ministry of the Environment has been decimated. Since the government took power in 1995, the Ministry of the Environment has lost over 50% of the staff they had in 1995.

The Ministry of Agriculture and Food lost a number of staff as well. The number of inspectors who inspect abattoirs and various food processing facilities has been reduced significantly under this government. Why did the government do that? Because the government said, "Oh, them pesky people just get in the way. We can't allow those inspectors to go bother those honest individuals operating abattoirs and food processing facilities." Most of them are honest, but the minister and the government don't like the idea of having those pesky inspectors out there, getting in the way of business.

The auditor goes out and inspects abattoirs and food-handling facilities in Ontario and says, "There's a serious public safety issue here," because where ministry inspectors have gone and inspected, they've found deficiencies. When they reported to the ministry, it wasn't followed up. Why? It wasn't followed up in a timely way because they did not have the ministry staff to do the follow-up. So potentially there's an abattoir somewhere in Ontario that processes, let's say, beef or chicken or whatever it might be and *E. coli* contamination could be found in the meat. The meat would be reported as having a problem and a follow-up inspection should be done, but because there were no ministry staff to do the follow-up, nothing happened for six to eight to 10 months after. So potentially people would be eating tainted food because we didn't have the capacity to follow up on inspection.

On top of that, the auditor says—the auditor doesn't say this part; we say it. The government says, "Don't worry, we laid off"—what was it, about 120 food inspectors when this government took office? We're down significantly. I heard in the debate last night that it's eight. Is it eight?

Ms Shelley Martel (Nickel Belt): It's down to eight.
1630

Mr Bisson: Down to eight from 120. The government says, "Oh, don't worry about it. Everything is under control. We're going to privatize the inspectors, because we know, by God, that the private sector does it better." So they have gone out and tried to privatize. And the auditor says that where you have privatized—and he lists the examples in here—there is no case where it can be verified that the government (a) saved any money and (b) in the end gave better services to the citizens of the province.

So the book is interesting to read. The author, Mr Erik Peters, the auditor of Ontario, says, basically—I'm paraphrasing—where the government has privatized, the system has not worked: we haven't saved money; there's no better services. And where we've downsized, the system has failed.

It's clear to me that the Common Sense Revolution is in deep trouble. Why? For the reasons we've outlined. So I say as a New Democrat that we have to rethink how we do things. That's why our caucus, over the next winter, is going to be talking about the ideas that we think need to be brought to Ontarians so that there are some new ideas for a new time here in the province of Ontario.

Ms Martel: MTO?

Mr Bisson: Yes, I was about to go to that one. I was going to talk to MTO in about a second. Oh, you've got the page for me. Even better. I like you; thank you very much. My, I've got some really helpful colleagues over here: my good friend and colleague from Nickel Belt.

Anyway, to just finish that particular point, the Common Sense Revolution, it's clear, is in trouble and what we need to start doing on this point is proposing ideas for this new millennium to make sure that there are clear alternatives to what the Tories are offering the public of Ontario. We, the New Democrats, will be talking to Ontarians directly over the next months to talk about what kinds of things we need to be doing in order to ensure public safety on a number of these issues, and proposing other ideas.

I want to return to the auditor's report, because I was particularly interested in the section that deals with the outsourcing. Now, what's outsourcing? Well, you remember Ernie Eves, that guy who's running for leadership of the Tory party? He stood in the House here when he was the finance minister back in about 1996 when I asked him a question. I said, "Mr Minister, can you prove to us that you're going to save any money when it comes to privatizing winter road maintenance? Demonstrate to us that there's going to be savings and demonstrate to us there will be better service, and then it's put up or shut up, right?" The minister stood up in the House and said, "No problem. I'm telling you that if we don't save 5% when it comes to privatizing highway maintenance on our highways across the province, it will not be worth doing this outsourcing initiative."

The auditor has gone back. The auditor has done the original audit, back in—1998 or 1999, Shelley?

Ms Martel: It was 1999.

Mr Bisson: And now the auditor has gone back, re-examined it again and his conclusion is very simple: "We reviewed the report prepared by the consultants and obtained information from the report's authors in answer to a number of questions. The consultants informed us that they had been engaged as consultants, not as an 'independent auditor'...."

What he's saying here is that the ministry, to try to prove their numbers, that they saved money, hired some consultants. The consultants went out, basically were given their marching orders by the Tories and then wrote up a report and said, "Ta-dah! We saved some money." And the auditor is saying, "Prove your numbers. The numbers don't add up." So the consultants say, "We were engaged as consultants, not as independent auditors." So the ministry has not been able to demonstrate that it saved any money, and the consultants that they hired, quite frankly, were bought off to say whatever it is that the ministry wanted to have said when it comes to highway privatization.

The other thing he goes on to say is, "The consultants' report does not provide the necessary audit assurance to demonstrate the savings actually achieved from outsourcing because sufficient analysis was not done to verify the savings." He lists an example: "Almost half of

the reported \$11 million in savings to the maintenance program was due to an adjustment for inflationary pressures that was uniformly applied to expenditures for the 1998-99 fiscal year without regard to which of the expenditures may have been subject to lower inflationary pressures."

So what they did was say, "Oh, let's apply an inflationary number on all this money. Ah, we'll play around with the numbers a bit to suit the numbers we want and we'll be able to show that we saved money." The auditor says, "Jig's up. Caught you. Uh-uh, you can't do that." It goes on to say, "We therefore concluded that the consultants' work cited by the ministry does not sufficiently support the ministry's claims of actual savings achieved from outsourcing. It is also unlikely that the consultants' report can be used to support the achievement of the 5% savings target set by the Management Board of Cabinet. In addition, we noted that the consultants observed that several cost estimates for the pilot contract were based on historical information...." and even that information was wrong.

So we haven't saved the money. It's in fact costing us more money. If you look at the 1999 report—I think it's about five or six examples of where we've outsourced—five are costing us more money. There's only one that we saved any money on. The other thing he says is, "You've allowed the contractors to get so big that there is now no competition within the contractors' community to drive the price down." You know supply and demand: if there's lots of competition, supposedly the price will go down. Well, what you've done is you've made the contractor so big, giving all the contracts to one contractor, that nobody else is big enough to compete with that particular contractor and now there is no competition. So we've gone from a publicly controlled, publicly funded system to a publicly funded private system that has no competition. It's the worst possible situation of both worlds.

I only have about 20 minutes left and I know my friend and colleague from Nickel Belt would like to speak on a number of issues. With that, I will leave the rest of the time for my colleague.

The Acting Speaker: I'll use this time to make this announcement. Pursuant to standing order 37(a), the member for Timmins-James Bay has given notice of his dissatisfaction with the answer to his question given by the Minister of Training, Colleges and Universities concerning Collège des Grands Lacs.

Mr Galt: I appreciate the opportunity to say a few words on this motion, the concurrence motion, a most important motion as it relates to funding and to approve the estimates that are before the government, probably the most important motion that might come before the House in any given year.

As we talk about estimates and funding, I think it's important that we spend a few minutes just looking at the economic statement, the Ontario Economic Outlook and Fiscal Review, that was delivered by the Honourable Jim Flaherty on November 6. In spite of the downturn of the

economy that we're currently experiencing in Ontario and, for that matter, in North America, there's a lot of good news in there.

We talk about a few lost jobs and some plants that have shut down, when in fact since we took office some 824,000 net new jobs have been created in Ontario. But the one that I hadn't heard before that came out in this statement was the fact that the average income, the average take-home pay, has gone up by some 20%, and that's been over roughly a five-year period, when inflation has been at about 2% to 2.5%. So in five years that would be roughly 10% or 12%, and the take-home pay has increased by 20%. Maybe that's why at this time of year just before Christmas, if you go shopping in one of the shopping malls you'll find that there are not too many parking spaces left; you'll find that the shops are quite crowded. That's related to that 20% increase in take-home pay—more dollars to spend on various things for the family.

It's also interesting to note that over 600,000 people have now broken welfare dependency. What a vicious circle so many people have been caught in, and many are now off.

The other piece of good news that came out then is that we're on track for balancing a third budget three years in a row. That's indeed pretty good news, and I'll speak a little more about how that budget is going to be balanced in a few minutes. There's just no question in my mind that that's going to happen.

Also, we've heard a lot of talk from the other side of the House about our credit rating. Through the late 1990s in our first term there was a lot of hooting and hollering going on, "Your credit rating hasn't improved." It certainly plummeted in the first half of the 1990s and, lo and behold, the credit rating now is improving and it's based on the track record of our government.

A little bad news that was in that particular statement related to the growth. The growth expected is not as great as we had hoped for and has been adjusted to the economy growing at about 1.1% this year and 1.3% next year, versus 2.3% for this year and 3.6% next year as previously predicted. Certainly there's a lot of anticipation of what's coming down the road, looking at something like 2003 when growth will be back to about 4.3%. These are private sector forecasts.

1640

I said I was going to comment about the balanced budget. Starting with the Honourable Ernie Eves, they were setting aside some funds in case of a rainy day, and the rainy day came on September 11, with the disastrous occurrences in New York City and Washington. That \$1 billion was set aside for those occasions, and to keep the books balanced, out of that we'll be lifting approximately \$300 million to ensure the books will be balanced. But that still means \$700 million will be left over, over and above what's being paid off on the debt, that will be there for debt retirement purposes.

There's no question the government is on track for another balanced budget. We look forward to next spring,

when we hope and expect there will be a fourth consecutive balanced budget.

In spite of all that, we've been able to increase health care spending by 6.9%. That's up a percentage point from the budget predicted last spring, and working toward 5.9%, that indicates that of the \$6.9 billion we've increased in spending since we took office, \$6 billion has gone to health care and most of the rest of the other billion has gone to education.

When you look at something like \$6 billion more per year going to health care than when we took office, that works out to a little over \$500 for every man, woman and child. It's just unfortunate that I can't stand here and say the same for the federal government, because they have not come through. They certainly have not come through with any funding. Since Brian Mulroney was in office, the Mulroney government, they've gone from 18% funding down to a low of as much as 11%. It's back up now to 14%, but some of that is one-time funding. If they were going to go to that 18% level when they took office, that would mean another \$2 billion per year. But, really, if they got back to the original agreement of 50-50 funding that was there back in the early 1970s—they're cheating people in Ontario out of some \$7 billion in health care every year. That's a tremendous amount of money that the people of Ontario are being beat on, to be quite honest.

I hear the opposition saying, "Well, if you didn't have these tax cuts, then you'd have these funds to help with this program or that program," when in fact the kind of stimulus of the economy that has occurred since back in 1995, mostly through tax cuts giving confidence to consumers, giving confidence to investors in Ontario—we have stimulated the economy. People have been investing. Jobs have been created. The end result has been about a \$15-billion increase in tax revenues. That's up from \$30 billion. That's a 50% increase in some five, six years here in Ontario. If we hadn't been doing that, there's absolutely no question that that \$6 billion that we've increased would not be there for health care. You would see some very serious problems in the system, and certainly the federal government is not going to come through to assist, even though it's the Canada Health Act. You would think, with the Canada Health Act, that they would be committed to health care in Canada when in fact they obviously are not.

The other area of extreme disappointment with the federal government following the September 11 disaster was that the Prime Minister was very slow off the mark to say very much, to do anything, to give some consolation to the Americans, to help people, especially in Ontario, feel safer. Thank heaven for the Premier of Ontario coming out with some very definitive statements. He talked about a safer Ontario. He talked about the security perimeter. He immediately had I think roughly a million and a half dollars to assist those folks who lived in Ontario who had someone in their family who was killed in those accidents so that they could go to New York or Washington to tidy up some of those loose ends.

I think it was within 36 hours of that attack that it was out there. This \$30 million that has been set aside will enable Emergency Measures Ontario to offer municipalities more help with community emergency planning. Secondly, it will build on anti-terrorism training facilities for local police and, third, it will build an emergency management training centre for firefighters and ambulance personnel.

There's been some recent criticism about the accelerated tax cuts here in Ontario, both through income tax as well as for business. It was moved from January 1 up to October 1, and that's being confirmed in the budget bill that's presently before the House. That reinvested back into the province some \$176 million to help encourage the economy.

As we talk about tax cuts, I get just a little bit excited, because I see what they're now doing in Ottawa. Even though they laughed back in 1995, they laughed in 1996, they laughed in 1997, they quit laughing, and now they're starting to bring forth the tax cuts to stimulate the economy for the very same reasons as the province of Ontario. It's just good to see that, in spite of their laughing earlier, they now realize the importance. I heard Chrétien saying, in downturns, in recessionary times, it's important to cut taxes to stimulate the economy. This is the time to do it. They're in a good position to protect the economy here in Canada, in particular the province of Ontario. It's just good to see that this is happening.

Even the Liberal government in BC has taken several pages out of the book of the government here in Ontario. Look at what's happening out there. They're Liberal in name only; they are certainly acting more as a Conservative government. Regardless of the name, they understand how it works.

As I look back at some of the things that came out in that economic statement—the \$100 to low- and middle-income working families, a one-time payment for some 367,000 children. I hope that by using some of the lists from the federal government, we don't fall into the same category they did with their rebate for heating when they paid 1,600 people in jail; some 4,000 people who were probably mostly in the tropics, working in Third World countries, received a \$400 rebate for heating. Thank heavens for the Auditor General, who identified this kind of thing. I just hope that by using the federal mailing list, we don't find the same kind of mess with this one. I know that our Minister of Finance will double-check and ensure that will not be happening.

The last point that was in this particular economic statement talks about accountability to the taxpayer. We have had many bills on accountability. As a matter of fact, I would suggest accountability is a hallmark of our government. Certainly, the taxpayers appreciate it.

Interjections.

Mr Galt: I see them waving the auditor's report. They're not waving the Liberal auditor's report from Ottawa: just \$16.3 billion in grants that they can't keep track of. Even half of that, even a quarter of it, would roll to the provinces to help with health care. But they'd rather give it out in a slush fund to help with the election

campaigns. As a matter of fact, that's when the \$400 rebate went out, just before the last election. It looked like it was buying votes. Whether it was or not, the timing was ideal for that.

The Minister of Finance promoting the idea of a value-for-money audit, and also reflecting on the Taxpayer Protection Act and the Balanced Budget Act—so there's no question; I just wanted to review that financial statement. There's no question that Ontario is indeed on the right track. We'll get these estimates and the future funding approved.

I'm sure the opposition would like to support some of these, because they like to be there for announcements, whether it's for a new bridge, a new sewage treatment system or a Trillium grant. They love to be there to cut the ribbon, but they really enjoy voting against all of the budget bills that make it possible. I would think there's a conflict of interest. I would think they'd be very embarrassed to go out and cut these ribbons, when there are investments being made and they have voted against them here in this Legislature.

I'll leave it at that. I know there are two more to speak in our caucus. I look forward to their comments and I look forward to the support from the opposition benches as we move this concurrence bill through the House.

1650

Mr John Gerretsen (Kingston and the Islands): Let me start off by saying that I always enjoy the member from Northumberland because he is very clear in his opinion. He is part of the good guys and the government in Ottawa are the bad guys and everything that goes along with it. Of course, everybody knows that there is good and bad in everything, whether you're talking about one government or another government. I am not going to justify any misexpenditure of funds federally, in the same way that he shouldn't try to justify any misexpenditure of funds provincially. When money is spent inappropriately by government, whether it's a provincial or a federal government, then the taxpayers should get upset because it is our money that's being expended. We expect every government that we're involved with in one way or another—provincial, federal or municipal—to expend properly the hard-earned dollars that you and I and all the people out there have worked for, that we pay in our taxes. That goes without saying.

That's why we have individuals like the auditors—the Provincial Auditor here and the Auditor General federally—to hold government accountable. I am totally in agreement with that. If they find programs that have been mismanaged and money that hasn't been properly expended, they should bring it to the public's attention. They should make sure that the government is accountable, that those kinds of misexpenditures will not reoccur in the future. It's as simple as that. But for the member to say that the Harris government has got it all right and somebody else has got it all wrong is absolute nonsense.

The unfortunate part of course is that government is all about choices. If you go on the basis that all of our money should be expended properly in all the various

programs, in whatever programs are out there that help people to live their lives to the fullest potential and to get the kind of care they need to the fullest potential, then you ask, "What is the role of government in all this?" It's about choices. The choice this government has made in the province of Ontario is that it's more important to have a large corporate tax cut of \$2.2 billion than to properly fund health care, education, community care, social programs and everything else that government is involved in. That's the choice. They've made that choice.

When the member gets all excited about tax cuts, let's make one thing perfectly clear: as far as I know, everybody out there would like to pay as little as possible in taxes. We are no different than they are or the NDP members or what have you. The problem is that if we don't fund the programs that give people an equal chance in life in one way or another, then we get a dysfunctional society, and not the kind of society that you and I want our society in Canada and in Ontario to be. That's where the fundamental difference comes in.

What they are basically saying is that as a result of what happened on September 11, we should go ahead with the corporate tax cuts and the personal income tax cuts, when there are people out there saying, "It is totally the wrong way to go." Security of the person has become a much greater issue. The economy is slowing down and therefore the revenues aren't coming in as quickly as possible. You don't have to take my figures on that. I always like using the government's own figures.

Take a look at the financial statement that was filed by Mr Flaherty, our Minister of Finance, earlier this month, or was it late last month? It clearly shows that the taxation revenue the Ontario government is getting in—from personal income tax, from corporate tax, from a whole bunch of categories—is less than last year. Whether the deficit at the end of the year is going to be \$1 billion or \$5 billion, as the Chair of Management Board has said, or whatever the amount is, the point is that the way it looks right now, the government has two choices. If there is going to be less revenue than they anticipated, they can either cut back on their income tax cuts or cut back on the various programs that are out there, mainly in health care and education because that's about two thirds of all the money that's being expended provincially, or run deficits. I think we've all agreed that we don't want the province, that we don't want the government to run a deficit, because if they run a deficit, it means that whatever the amount of the deficit is, whether it's \$1 billion, \$2 billion or \$3 billion, it would simply be added on to the already large debt we have in this province of some \$115 billion.

One of the financial aspects I always find very interesting is that in the case of the province of Ontario, we spend more money on servicing the provincial debt than we do on all the social programs the province is involved in. We spend \$9.7 billion on servicing our provincial debt, and that's at a time when interest rates are at an all-time low, and we only spend \$7.9 billion on all the social

programs that are being carried out by the Ministry of Community and Social Services.

Yes, government is about choices, and the choice on this side of the House quite clearly is this: rather than having a corporate income tax cut of \$2.2 billion, rather than having further personal income tax cuts, let's spend the money on rebuilding our health care infrastructure. Let's put some of that money into the community care access centres.

I see that the associate minister of health is in the House. I brought in a file of headlines from across the province, all dealing with the same thing. That is the fact that our community care access centres, the organizations that provide home care and nursing care to people who need it, to the vulnerable who come out of hospitals quicker and sicker, to the people who are aged and want to stay in their own homes for a longer period of time rather than being in a nursing home or a rest home—it's something we all want—but who need help, who need people there to give them a hand—perhaps it's a nurse or a homemaker for two or three hours a day.

I say to the minister, rather than going through—what would you call it?—this fiasco of getting rid of the existing boards that have served a very useful function in our community, rather than getting involved in that and setting up another board that you will completely appoint and that you will control by your appointment of the chief administrative officers, why don't you deal with the real issue and put more money into home care than you budgeted for last year? Put in the same money you actually expended in that area.

I know the minister will say, "We're spending 70% more than four or five years ago." But four or five years ago, we had many more hospitals open in this province. We had people staying in hospitals longer. We had many more beds in hospitals that people stayed in for a much longer period of time.

The government of the day and the health care restructuring commissioner, Mr Duncan Sinclair, a man I greatly admire and know very well, made it absolutely clear, and the government said they were going to live up to that commitment, that they were going to take the savings they received in the health care budget as a result of the closing of the hospitals and the closing of the various beds etc and put that money into health care. So when she says, "The budget's gone up 70%," it doesn't mean a thing.

The real question is, how much money did you save as a result of the beds you closed five or six years ago, and as a result of the hospitals you closed? I realize the health care budget is a lot bigger than it was then, because we've got 600,000 more people in Ontario and we're older now. But the real issue is that you gave a commitment that the money you were going to save, as a result of closing beds and closing hospitals, was going to be put into community care so there would be nursing and home care available for those people who would not be in hospitals as a result of the closure of the beds.

Now, come up with that number, and I would love to have the Provincial Auditor actually do a study in that area, as to how much money you've actually saved. I realize the entire budget has grown because of the aging of the population, the increase in the population and a whole variety of other factors. But how much money did you actually save? I bet you anything that the amount of money you saved from all these closures doesn't even come close to the so-called 70% increase in the home care budgets of the entire province, and they know that's true.

1700

One of the unfortunate aspects of question period on a day-to-day basis in this House is that, as more senior parliamentarians than I have said on so many different occasions, you can ask the questions but it doesn't necessarily mean you're going to get an answer. You ask a question specifically the way I'm asking it now and you get some other answer that's got nothing to do with the question you're really asking.

"Woman Denied Home Care": in a letter to the editor she says, "I shudder to think of the patients who return home from the hospital and do not have family members and friends to provide post-surgical care."

That is a real issue. I can tell you, from my own involvement in the home care and hospital scene over the last four months, that I've come to the conclusion that if you don't have someone in your family to actually advocate or speak up for that elderly person—that elderly mother or aunt or father or grandparent who may be in hospital—then the likelihood of their being treated or dealt with appropriately is a lot less. It's got nothing to do with the people who actually work in the hospitals. They are grossly overworked.

From having been in hospitals from 11 o'clock at night to 2 o'clock in the morning, I personally was amazed at how the nurses and other health care workers ran around the Kingston General Hospital, which I'm thinking of, trying to deal with patients' needs. The conclusion I came to was quite clearly that our hospitals do not, as a whole, have enough qualified people to work and give the care to the patients that is required. That's why nowadays they want families to be involved on a much greater basis than they ever used to.

I can remember the day when at the hospital, when I worked there many years ago, visitors were only allowed for an hour in the afternoon and an hour in the evening. Other than that, you got in the way of all the health care professionals. Now, if somebody is in a dire situation, they almost beg you to stay there, because they simply do not have the personnel available to look after the people who are really sick. I know what I'm talking about; I'm talking from personal experience here.

I want to leave some time for my friend from Scarborough. The choice is clear: you have made your choice in that you think it's more important to have a \$2.2-billion corporate tax cut. You think it's more important to even accelerate that tax cut by three months. But you can't even get the benefit of that down to the people as

quickly as you want to. You said you wanted to accelerate it because it was needed, because of the economic crisis we're in or the economic situation that has arisen as a result of the September 11 tragedy. You can't even deliver on that as quickly as you said. You've made the wrong choice.

I think what the people of Ontario want is good-quality health care and good-quality education. The program you've outlined in your budget document simply isn't good enough.

Let me say, as a final comment, because we're dealing with concurrence in supply here, that my hat's off to the vast majority of the people who work for the province of Ontario in the various ministries. Most of those people, the vast majority, do an absolutely outstanding job. They've been demoralized by this government's attitude and approach over the last five to six years. I say to those people, keep it up, because a better day will come when you will be respected and the services you provide for the people of Ontario will be appreciated again by a caring and compassionate government.

The Acting Speaker: I would like to bring members' attention to a visitor in the west members' gallery. We have with us Monique Jérôme-Forget, who is a member of the National Assembly of Quebec and the finance critic in the assembly. Welcome.

Further debate?

Ms Martel: It's a pleasure for me to participate in this debate this afternoon on concurrences in supply. It gives members an opportunity to make some comments about what the government is spending its money on and whether we think it's a wise investment, and frankly to make some comments about what the government should be spending some money on and isn't. In this case, the government should be spending money on a whole host of programs that I consider to be particularly important, but because this government chooses to throw \$2.3 billion out the door at its friends in the corporate sector, it cannot. I regret that the government chooses to hang on to that very philosophical decision to give money to its wealthy corporate friends rather than investing in some areas that I'm going to point out today, investments that are particularly important to me.

I'm going to be focusing almost exclusively on the Ministry of Community and Social Services and the minister responsible for children in my remarks, in three areas that I want to deal with. The first has to deal with regulated child care. Speaker, you will know that over the course of the November break there was a document leaked by the Toronto Star, a document that came from the Ministry of Community and Social Services, a proposal to cut \$200 million from the regulated child care budget and family resource program budget in this province. When the House resumed, my colleague Marilyn Churley and I and my leader, Howard Hampton, raised questions with the minister about this particular document, to get at what his intent was with respect to this proposal to cut \$200 million from these budgets.

You will recall that the minister said that the document was so unimportant that it didn't even reach his desk, which leads to the question of who authorized the work on it in the first place, because I find it hard to believe that some minion working in the Ministry of Community and Social Services would off the top of their head just have come forward out of the clear blue with a proposal to cut \$200 million from regulated child care. Look, I was a minister; it doesn't work like that. Someone in the minister's office gives direction to the bureaucracy to look at cuts, and there is no doubt in my mind that the minister's office was fully aware of this proposal and fully aware of the implications.

If it was so unimportant, and if the minister has no intention of cutting \$200 million from regulated child care and from family resource programs, then the minister should stand in his place and say unequivocally, clearly, categorically that he will not proceed with that \$200-million cut to this important budget. It's interesting that although he was asked on several occasions to do just that, he did not. It's also interesting that he was asked then, if this document was so unimportant and so frivolous, to stand in his place and say that the budget for regulated child care and for family resource programs in the province would be protected. Indeed, given that this minister is getting money from the federal government—over \$844 million over the next five years—he should stand in his place and say he would invest in these two important areas of children's services. Did the minister do that? No, he did not.

I am left, regrettably, with the impression that the minister's office was fully aware of this document; indeed, that someone in the minister's office—I won't say it was the minister himself, but someone in his office—clearly authorized the work to be done to look at \$200 million of cuts to child care and family resource programs and what the implication would be. If he doesn't want to dismiss that outright, I assume that he's still considering that. I assume, based on the rumours which have been rampant in this Legislature for the last couple of weeks, that the government is now facing a \$5-billion deficit and the way the government is going to deal with that is to make major cuts to important programs, because we all know the government has itself in a corner, doesn't it?

The government has, on the one hand, passed legislation which says cabinet ministers can't run a deficit or they'll be personally liable and, on the other, has made a very clear commitment that what's most important to it is its \$2.3 billion worth of tax cuts to its friends in the corporate sector. So if there is a deficit, and I believe that cabinet is surely looking at one, it's going to be dealt with in terms of cuts to important programs.

I think people who care about regulated child care and people who care about family resource programs should be very worried. They should be worried because the current government's track record, especially with respect to regulated child care, is dismal indeed. Let's look at what the Conservative government has done with respect to

regulated child care since being elected. This is a government that, between 1995 and 1998, cut 15% from the regulated child care budget in the province. The government is spending \$43.41 less per child, per regulated space, in the province right now.

1710

This is a government that has cancelled all capital funding for child care centres: for the creation of new centres, for the renovation of existing centres and for playground equipment. Even though this same government has brought forward standards on playground equipment that essentially have forced many child care centres to have to remove their equipment—many schools as well—yet the government has no money to allow these centres now to put up new, safer equipment.

This is a government that has capped pay equity for child care workers at December 1998 levels. It's important to note that not only child care workers are affected; many workers who are in long-term-care facilities, who work in libraries, who deal in homes for the aged have all been capped as well. This is a sector where people are dealing with what should be our most important resource, our children, and their proxy pay equity has been capped by this government. That really shows the lack of commitment by this government to paying these people—predominantly women—who do incredible work with our kids what they are entitled to. We know that five of the unions that deal with most of these workers are back in court for the second time, trying to get the court to force the government to do what this government refuses to do, which is, pay proxy pay equity to these workers.

This is a government that has also put a cap on wage enhancement for child care workers, again demonstrating the lack of commitment it has to these workers, who do incredible work with our children, day in, day out, six, seven, eight hours a day. This government put a cap on the wage enhancements that could go to these workers. So you have the horrible scenario in many child care centres where former employees still get a wage enhancement and those employees who were hired after the cap are getting a different rate of pay for doing the same job. That is unfair. This government should lift the freeze on wage enhancement.

This is a government that has also downloaded 20% of the child care and family resource budget onto municipalities, and we know that, given everything else the government has downloaded onto municipalities, many are having great difficulty funding all the services they're supposed to provide. That has put many child care centres, whether they be in schools or independent centres, at risk. A \$20-million cut to the child care budget in this province would effectively destroy regulated child care. Maybe that's what the minister wants.

As someone who has been a consumer of regulated child care for our children, I would find it ridiculous and insane if the government did that. As a parent, my choice was to have our children in safe, regulated care that used principles of early childhood development, so I could be sure that my children were safe when I went to work

every day. Other parents want that choice too, but if \$200 million is cut from the budget, there will be no choice for those families who now use regulated care because too many centres will be forced to close if that is the magnitude of the cuts.

I just want to read into the record some of the letters we've been getting from people as a result of this leaked document. This comes from Dorothy Spracklin, who is from Hamilton. She says the following:

"Dear Minister Baird,

"I am a taxpayer, voter, and parent of Alora Hunnighan, age 17 months. My daughter attends Heritage Green Daycare, which is a licensed, full-fee facility. Your proposed \$200-million cuts will decimate regulated and affordable child care in our community and make no economic or common sense.

"Please take a moment to understand how these changes will affect our family. I am a single parent. I work full time as an injury claims adjuster and earn a modest living to try to independently support my daughter.

"However, my current daycare costs are approximately \$600 per month. Because I work full time, I do not qualify for any kind of subsidy. I am the 'working poor.'

"As a ... single parent family, any type of cost increase for daycare would give me no option but to forgo my career and go on social assistance, as there is no one at home to care for my daughter. How many mothers would be forced to take this action? What kind of impact would that ... have on your budget? Will this not sabotage any efforts the government has been making to get people off of welfare, such as Ontario Works?"

Here is another one from Ottawa, Rachelle Thibodeau, who says the following:

"Dear Minister Baird,

"I am writing to you on a matter of great concern—child care. Do I use child care? No. Am I a parent? No. Will I become a parent in the future? No. Am I perhaps a business person, worried about loss of staff? No. Do I work in child care? No. In fact, most people would assume that child care would not matter to me at all, but it does. I believe that the care of children is a shared responsibility, just like education or health care. Of course, parents bear the ultimate responsibility for their children, but a healthy society should make it possible for people with children to have the choice to work or not. Many people would not be able to work if they didn't have an affordable, safe, regulated and reliable source of child care."

This was an interesting one because it comes from a member of the Early Years Steering Committee. This woman would have been appointed by this minister to sit on the Early Years Steering Committee for Wellington-Dufferin-Guelph. It's Dr Angela Hofstra. She says the following:

"As a committee member, having read the Mustard-McCain report, a parent of a preschooler, a pharmacist and a PhD-level researcher, I am well aware of how

critical development is in the preschool years. As minister responsible for the early years, I trust that you are familiar with the Mustard-McCain report and are cognizant of the importance of our children's early years. It seems incredible to me that as a member of the Early Years Steering Committee I am mandated to increase awareness of the importance of our children's early years on behalf of a government that would slash funding for preschoolers. It is horribly two-faced to act one way with federal dollars, the Early Years project, and quite another with provincial dollars. Furthermore, the federal dollars could have been put toward regulated child care."

I agree. This government will get \$844 million over the next five years from the federal government for early childhood development. This year, they didn't spend one red cent of the \$114 million on regulated child care, when every other province in this country did. I call on this government to condemn the proposal to cut \$200 million and for the minister to stand in his place and say not only will he protect the current budget for regulated child care and family resources, indeed he will use federal dollars to enhance regulated child care and family resources in Ontario.

The next topic I want to deal with are family resource programs. Not only are they at risk in terms of this \$200-million-cut proposal, but they are also at risk because of this government's Early Years centres proposal. In May of this year, the government announced it would spend \$30 million of the \$114 million it's receiving from the federal government to establish Early Years centres in Ontario, one per riding. On September 20, the minister announced that 41 ridings would go through stage one to get their Early Years centres. This document outlining planning the Ontario Early Years Centres was released. What's interesting in the document is that the government makes it very clear that existing family resource centres, which have existed in this province for over 30 years, which provide important services to families and caregivers, which were the model used by Mustard and McCain in the Early Years report—this government is now directing community planning agencies to make concrete decisions about the survival or not of family resource programs in the province.

The Ministry of Consumer and Social Services currently funds about 185 family resource programs in the province. They spend about \$19 million a year. The government is now directing local committees to make a decision about whether or not they're going to exist after this Early Years process is over. I think the government should have simply used the existing system of family resource programs to develop Early Years centres. They have been in existence for 30 years. They provide important services to families like drop-in centres, toy-lending libraries, child care, referral for child care, parenting courses, courses with respect to speech and language development, nutritional programming, after-school programs. Many provide summer school programs for people who would otherwise need child care. They provide a broad range of services, the same services that the

government outlines as core or essential for Early Years centres in this document.

Since the document already says we're going to use existing agencies to become Early Years centres, the existing family resource network should have been the group the minister looked to. But no, in this document you see that clearly local programs have to decide whether or not a local family resource program will become the Early Years centre, will become a satellite of the Early Years centre or indeed won't be able to participate at all and will lose all of their provincial funding, which they now use to provide important services to families.

We had a press conference here on Monday with Strawberry Patch. It's a family resource program in the riding of Ms Munro. Strawberry Patch found out last week that because they were not chosen to be the Early Years centre for that North York riding and because they were not chosen to be the satellite, they were left out of the process altogether and they're going to lose the funding they currently have from the province to deliver services. They provide services to 600 families. They had 10,000 visits from families for drop-in last year alone: a summer school program, a toy lending library, nutritional support, parenting support, the whole nine yards, all of the services the government talks about being necessary in an Early Years centre. They found out last week that they were iced out, that they were cut out, that they weren't going to become a part of this. So they went very public and lobbied very hard, went to see the mayors in the surrounding areas whose constituents use the services, and now the committee is looking at this issue again, with no guarantee they're still going to get their funding.

1720

What worries me is that the minister is using this process, the creation of Early Years centres, to get rid of many family resource programs in this province. There is no need for it. There's no need, because the fact of the matter is that the \$30 million the minister is using to create these allegedly new Early Years centres is \$30 million of federal money. The government is going to take that \$30 million and subsidize \$30 million worth of provincial children's programs. They have a net saving of \$30 million through this scheme. They certainly have \$19 million to continue to fund all existing family resource programs in the province. In fact, because they have savings, they've got money to enhance, improve on, fund more of the family resource programs in the province that don't receive provincial funding. You see, there are about 453 in the province now, and only 185 actually receive provincial funding. This was a model endorsed by McCain and Mustard. The government should stop this process of looking for other agencies to become Early Years centres.

The government should do two things immediately. It should commit that no family resource program now receiving provincial dollars will lose its dollars as a result of this Early Years process, and the government should

sit down with the Ontario Association of Family Resource Programs to determine how those programs can become Early Years centres in the next round of funding that will occur. That's what this minister should do, and the minister should do it immediately. We know that family resource programs like Strawberry Patch are being told, as we speak, that they are out of this process and they are going to lose their dollars to provide important services for families.

The final issue I want to deal with has to do with the Family Responsibility Office, which now comes under the Ministry of Community and Social Services. It's interesting that in the auditor's most recent report he did a follow-up to his extensive report in 1999. He made the observation that many of the recommendations indeed still had to be implemented by the minister. This is with respect to recommendations made in 1999. There are two very important ones with respect to case management and the computer system. It's very clear under the two reviews in this area that the auditor has just reviewed that this government absolutely has to have a new computer system at the Family Responsibility Office if they are to continue with their obligation, and it is an important obligation, to ensure that support payments go to women and children who need them.

It was recommended again by the auditor on page 272 that the ministry take steps to improve the computer system. It has been recommended in the last three annual reports by the Ombudsman of this province that this ministry, this government, also take steps to have a new computer system installed at the Family Responsibility Office so that the government's obligation to women and children can be met. We continue in a situation where this has not been done, where the computer system crashes, guaranteed, once a week if not three times a week, where people have no idea what's happening with their payments and where the staff themselves have serious frustrations about trying to do the best job they can with an inadequate computer system.

One final note with respect to case management, because the auditor also said the government has to improve its case management—it needs a new computer system to do that. We received an e-mail a couple of weeks ago stating that as the government moves to a case management system where each case manager will have their own set of files, each case manager is now going to have 2,000 files that they're supposed to deal with. I can tell you that if this government does not increase its staffing at the Family Responsibility Office to deal with that scenario, the whole system will completely fall apart, and it will be women and children who won't receive the support payments they are entitled to.

Mr Frank Klees (Oak Ridges): I'm pleased to participate in the debate this afternoon on concurrences and estimates. You know, Speaker, the day was when Oak Ridges meant very little to people in this province. Certainly now Oak Ridges is known across the province as the epicentre of a very important provincial policy. That's a great segue to some comments I would like to

make. I would like to take this opportunity to express my gratitude to members of this House because a very rare occasion happened, and that is where members of both sides of the House voted in favour of a bill unanimously. That was of course the Oak Ridges moraine bill, which has done what other governments have failed to do over the last number of years. In fact, our government has done more in the last six months to protect the environment—natural features, the Oak Ridges moraine—than any other previous government in this province.

I want to take this opportunity to give some credit to some of the individuals who have led the charge on this issue. Of course the Minister of Municipal Affairs and Housing, the Honourable Chris Hodgson, brought together people who, quite frankly, prior to his initiative in bringing together a panel of people to deliberate over the course of months on how we could effectively balance this issue of growth with the demands of preserving the environment, would not speak to each other.

On the one hand we had environmentalists, who were very focused on one thing only, and that was to preserve the environment. Much of their lobbying was that there should be no further growth whatsoever on the Oak Ridges moraine. On the other hand we had landowners, builders and developers who make a living out of turning sod into pavement and putting up homes and commercial buildings. Of course, in a civilized society we would expect that we could balance all of that off, although it seemed very difficult. It looked as though these two parties would never meet in terms of actually finding a resolution.

But here we are. We are in the House today. We voted unanimously for second reading. That bill is now going to committee, this evening as a matter of fact, under the chairmanship of Steve Gilchrist, who also deserves credit along the way here in terms of bringing a resolution to this issue. At that public hearing people will have an opportunity, as they have had over the last number of weeks since this bill was originally introduced, to come forward with their recommendations in terms of how certain changes should take place and certain amendments that should be considered by the government before third reading and before this bill is actually put into law.

I want to clarify that while there are those who are suggesting that there has not been sufficient time to consult on this issue, no other piece of legislation, no other issue that has had the attention of this House has had more attention than the Oak Ridges moraine, than the Oak Ridges moraine legislation. There has not been an issue before this House where the first piece of legislation that was implemented in this House was to put an absolute freeze on any activity relative to that particular issue. That took place here, six months ago now, in this House. Within a matter of five minutes—and this was historic, I believe—first, second and third reading took place to put in place an absolute freeze on development on the Oak Ridges moraine, to give a period of pause so that we could consult with people in this province, con-

sult with all stakeholders, to determine how we could best bring a long-term resolution to this issue.

1730

Other governments have tried. Other governments have gone so far as to study the issue. The Liberal government under the Kanter report, to the credit of that government, at least initiated a process. However, they did not go beyond the Kanter report, which provided some guidelines, but that was it. There was no comprehensive legislation, there were no firm guidelines and there was no specific framework for development on the Oak Ridges moraine.

Subsequently the NDP government of that day, 1990 through 1995, also commissioned reports. They came up with some more guidelines, but again stopped short of actually implementing firm legislation that would give, once and for all, long-term protection to the environmentally sensitive areas of the Oak Ridges moraine.

I'm pleased to be part of a government that had the courage and, I might say, had the wisdom to bring all parties together, all stakeholders together, so that we can very shortly have a piece of legislation that will protect forever the sensitive areas of the moraine.

I want to take a minute and explain to those who are observing that there will be some development activity on that remaining 8% of the moraine lands that are designated as settlement areas. Ninety-two per cent of the Oak Ridges moraine is protected forever. There is 8% of settlement area where, in consultation with the municipalities that will have the responsibility to oversee any applications for development, there will be an opportunity to develop in a reasonable way and in a very specific way under new rules and guidelines much stricter than before in those settlement areas.

Mr Caplan: How about the Bayview Avenue extension?

Mr Klees: The member opposite indicated he has a concern with the Bayview extension. I've been getting calls from some constituents as to why they would see activity continuing on the Bayview extension. I'm glad he opened the discussion for that. I'd like to speak to that and perhaps clarify for him why that road extension is continuing.

First of all, as I mentioned before, we have a problem in government. The problem is balancing the needs of many conflicting interests and stakeholders. In my constituency, which is located in Richmond Hill and Whitchurch-Stouffville in the northern part of Markham—a high growth area—many times I receive delegations in my office from people who complain about the gridlock, about the traffic problems we have in that area. So local municipalities, the region, have been doing extensive work in terms of studying how we can deal with this issue of transit and transportation and solve that traffic gridlock for our constituents.

One of the solutions is to put another thoroughfare through York region north to south—an extension of Bayview Avenue—because of the feed that takes place of traffic into that area. This was not done without a great

deal of planning. In fact, planning has taken place over the last number of years. The Bayview extension has had extensive hearings. There have been environmental assessments done on that property. It was determined by local studies that this was the best location for an extension of a thoroughfare, and there are also guarantees, as a result of the legislation, that as that road is constructed every opportunity will be taken to preserve the environmentally sensitive areas. There will be as little damage done as possible to the environment.

On the one hand, you cannot argue that local governments and the provincial government must support appropriate transit and do what they can to address the gridlock issues, and then when a road is planned after many years and a great deal of study has gone into it show up at the job site and say, "No, you cannot cut down any trees for this road," as the member opposite, Mr Colle, has done on a number of occasions.

Quite frankly, he's becoming a laughingstock in York region. The question people in York region are asking is, "Why is Mr Colle not spending a little more time in his own constituency?" Obviously all his problems are solved there. I get calls from people in his constituency who are saying, "Why don't we ever see him at home? Why don't we ever see him in our constituency?" It's because he's in York region, walking the moraine in his hiking boots. Our advice to him is to concentrate on his own problems, dealing with some of the issues that are relevant to his constituency, and allow the people of York region to deal with theirs.

I want to just simply—

Mr Gerretsen: Why are you being so parochial?

Mr Klees: If the member for Kingston and the Islands would like to participate in this debate, I'm sure he can arrange it with his House leader. I'll be pleased, when he speaks, to listen to him. He has a habit of carping while others are speaking in this House. I look forward to anything intelligent he might have to say on this issue.

In summary, relative to the Oak Ridges moraine, let me just say that it will be a historic piece of legislation that will be passed in this House. After there have been some amendments to that bill, I trust that on third reading there will be the same kind of unanimous support for that bill as we had on second reading. It will be in the public interest. It will be in the interest of Ontarians for generations to come. It will be a credit to this government. It will be a credit to the leadership of Mike Harris. It will be a credit to the leadership of Chris Hodgson, the minister responsible.

It has not been easy. It has been a long road. I have been pleased to be part of that debate, to have represented my constituents on this issue over the last number of years, and to have had the opportunity as well to see legislation come to the floor of this House that is going to deal with the Oak Ridges moraine, having advocated for that at a time when it was not government policy, and at, I might say, some risk in terms of the process as we all know it. I was pleased to do so. I want to give credit to the many constituents who spent hours and hours in

public meetings advocating for this cause. This is to their credit.

I want to turn my attention to another issue. That issue relates to the health care field. We're dealing today in debate with concurrences and estimates. Much has been said about health care spending in this province. There are those who still would suggest that our government has somehow cut back on health care spending over the last number of years. Surely there are few, other than members opposite, who for their own partisan purposes—I don't understand how, in light of the evidence of estimates, of concurrences that are put on the floor of this House, they still have the audacity to go into the public realm and suggest this government has cut back on health care spending. It simply is not true.

1740

Mr Gerretsen: Talk to the people who need help.

Mr Klees: To the member for Kingston, who continues to carp, I know that the Speaker is probably attempting to ignore him. It's difficult to do so, particularly when his carping is irrelevant to the debate. Would that at least it would be on topic.

Our government has increased spending on health care substantially. What has happened over that same period of time is that the federal Liberal government has lost its way in health care. The federal Liberal government has not kept pace with health care spending, with the demands on health care, in this province. They should be ashamed of themselves.

I encourage our constituents across this province to call their federal member and simply ask the question, "Why have you moved from participating in health care funding 50% down to less than 17%?" Only then will people in this province begin to get a sense of the lack of responsibility on the part of the federal government.

I want to take this opportunity to give credit to another colleague, the Honourable Helen Johns, the associate minister of health, who has taken a very, very difficult issue and has begun to make some significant changes to improve community care access centres in this province. We know how important community care is. The elderly, the disadvantaged in our community, need support at home so that they can continue to live out their elder years at home. We in this government have made more strides to provide community care than any other single government in the history of this country. We are providing health care today where it is not being provided in any other province on the same level. However, we have had a problem, and the problem we have had is not necessarily a funding problem in that area but a problem in terms of how that service is being delivered.

In York region alone, over the last number of weeks I have had significant improvement in this area of service delivery. The waiting list has been reduced by some 45%, but what is interesting is that there has not been one nickel of additional funding over the last number of months. Why? Because what we are starting to address is the efficiency factor of delivering health care. What we're saying is that we are committed to health care, we

are committed to home care, but we want to ensure that we're doing it in an efficient way, we're doing it in such a way that we are honouring the client, the patient, but also honouring the taxpayer to whom we have a responsibility to deliver that health care in the most efficient and most practical way.

The Honourable Helen Johns has introduced legislation in this House that will take us a great giant step toward ensuring that we have greater responsibility in terms of how we deliver that care. What is going to happen over the next number of weeks is that we will have the responsibility of assessing the boards of directors of these community care access centres, the administrations of these agencies, and we will have the responsibility to ensure that people are placed in responsible positions in these boards who have the experience, who have the capability, who have the knowledge to manage these multimillion-dollar corporations, because effectively that's what they are.

The commitment that we have made to the people in this province, as we did to the people in York region, is that every need will be met, and will be met efficiently and effectively. That is the commitment to the people of this province. Anyone who is not experiencing that kind of responsiveness, we want to hear from them, because we will look into that and ensure that the appropriate measures are taken to do that. I know I can count on my colleague the Honourable Helen Johns to follow through on that.

I want to take this opportunity, because the time is running short this evening—I am on my way to my constituency and I'm conducting a public meeting tonight on a very important consumer protection issue. It has to do with the new home warranty program. I have had, unfortunately, a growing number of calls to my constituency office from individuals who are not getting satisfaction from the Ontario New Home Warranty Program. I will be conducting a public hearing on that. I invite people to come out to share their concerns. I've advised the Minister of Consumer and Business Services that we are looking into this. He will have representatives there. I will also have representatives there from the homebuilding industry, because I believe that the homebuilding industry wants to do the right thing. The Ontario New Home Warranty Program is there to meet the needs of consumers. If there are problems, we want to address them. I invite people to either call my office, if they want further information, or simply come to the Richmond Hill town offices where those meetings will take place this evening from 7:30 to 9. I look forward to hearing from them.

I appreciate the opportunity to participate in this debate. I am proud to be part of a government that is both fiscally and socially responsible. It is as we balance those issues that we are bringing good government and responsible government to the people of Ontario.

Mr Alvin Curling (Scarborough-Rouge River): In the few minutes I have, let me just address a couple of concerns that I'd like to raise, especially in regard to my constituency, Scarborough-Rouge River. Let me first put

things in perspective. As you know, this government, when they came into power, talked about how fiscally responsible they were going to be. The first thing they did: they said they were going to declare war on the poor. That's how they decided to have fiscal responsibility.

My understanding—and they can correct me if they can, and I'm sure they will—is that when they got into power the debt at the time was about \$88 billion. This government was really appalled at that because the NDP, who had governed before, had run the debt up. They thought that, as a fiscally responsible government, here's what they were going to do: they were going to put the house in order. Six years now they've been in power. Mr Speaker, you would maybe have read this and seen this. The debt today is \$115 billion. Tell me that is fiscally responsible. The member who just spoke earlier on said, "This is good, fiscally responsible government."

One would think, then, running in that direction, running in debt, paying a high cost to service this debt, that they would then make sure that they can account for all the money they collect in taxes; and that when they collect that money, they would spend it in a proper manner. The next move they made recently was they talked about not collecting \$2.2 billion in taxes; as a matter of fact, relieving their friends of that responsibility to share in this great province. Therefore, that amount of money would not be coming into the coffers in order to spend it on those who need it most.

As my colleague from Kingston and the Islands pointed out very explicitly, the fact is that if you do that, you're going to compromise on other projects. Who did they attack? They attacked the poor. Remember, they talked about a revolution and they declared it on the poor. The first action they took was to attack the poor and reduce their income by over 20%.

1750

As you look at this, you can see where they're going. I want in a few seconds to talk about housing. This government has done nothing about social or affordable housing. They blame it on the feds and download it on to municipalities. Recently the federal government came through by putting \$25,000 toward every affordable unit that can be built. What has this government come up with? I've heard it's a meagre \$2,000 per unit or something like that. I haven't heard a word out of them about how they came through very strongly on this.

Hon Chris Stockwell (Minister of Labour): You're running out of time.

Mr Curling: I'm not running out of time. Your government is running out of time.

The Acting Speaker: Thank you. The time for debating these items has now expired. I will now place the questions.

Mr Stewart has moved concurrence in supply for the Ministry of Education. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will stack this vote.

Mr Stewart has moved concurrence in supply for the Ministry of Health and Long-Term Care. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will stack this vote.

Mr Stewart has moved concurrence in supply for the Ministry of the Environment. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will stack this vote.

Mr Stewart has moved concurrence in supply for the Ministry of Energy, Science and Technology. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will stack this vote.

Mr Stewart has moved concurrence in supply for the Ministry of Economic Development and Trade. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Tourism, Culture and Recreation. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

This vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Community and Social Services. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

The vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Training, Colleges and Universities. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

The vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Transportation. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

The vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Northern Development and Mines. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.
The vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Natural Resources. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

The vote will be stacked.

Mr Stewart has moved concurrence in supply for the Ministry of Intergovernmental Affairs. Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

The vote will be stacked.

This will be a 10-minute bell.

The division bells rang from 1755 to 1805.

The Acting Speaker: Mr Stewart has moved concurrence in supply for the Ministry of Education.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Elliott, Brenda
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Hardeman, Ernie

Harris, Michael D.
Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Kells, Morley
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Miller, Norm
Molinari, Tina R.
Mushinski, Marilyn
O'Toole, John
Ouellette, Jerry J.

Runciman, Robert W.
Sampson, Rob
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob

The Acting Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Caplan, David
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce

Curling, Alvin
Di Cocco, Caroline
Duncan, Dwight
Gerretsen, John
Levac, David
Marchese, Rosario
Martel, Shelley
Martin, Tony

McMeekin, Ted
Parsons, Ernie
Patten, Richard
Peters, Steve
Phillips, Gerry
Prue, Michael
Ramsay, David
Ruprecht, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Health and Long-Term Care. All those in—

Mr Dwight Duncan (Windsor-St Clair): Same vote.

The Acting Speaker: Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of the Environment. Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Energy, Science and Technology. Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Economic Development and Trade. Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Tourism, Culture and Recreation. Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Community and Social Services. Same vote? Same vote.

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Training, Colleges and Universities. Same vote?

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Transportation. Same vote?

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Northern Development and Mines. Same vote?

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Natural Resources. Same vote?

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

Mr Stewart has moved concurrence in supply for the Ministry of Intergovernmental Affairs. Same vote?

Clerk of the House: The ayes are 47; the nays are 24.

The Acting Speaker: I declare the motion carried.

1810

ADJOURNMENT DEBATE

The Acting Speaker (Mr Michael A. Brown): Pursuant to standing order 37(a), the member for Timmins-James Bay has given notice of his dissatisfaction with the answer to his question given by the Minister of Training, Colleges and Universities. This matter will be debated now. The member for Timmins-James Bay has up to five minutes for his presentation.

COLLÈGE DES GRANDS LACS

Mr Gilles Bisson (Timmins-James Bay): Where are you all going?

The Acting Speaker (Mr Michael A. Brown): Put five minutes back on the clock. We'll just wait for the room to clear.

The member for Timmins-James Bay.

M. Bisson : Merci beaucoup, monsieur le Président.

Comme vous le savez, plus tôt cet après-midi, j'ai dirigé une question à la ministre des Collèges et Universités. La question que j'avais demandée était très simple, mais je pense qu'elle a mal compris, parce qu'elle m'a donné une réponse un peu différente de ce que j'avais demandé.

Je vais répéter. C'est bien simple. On sait qu'aujourd'hui, la Cour supérieure de l'Ontario a fait la décision que le conseil d'administration du Collège des Grands Lacs peut fermer ce collège. Comme vous le savez, je suis très déçu comme député, comme francophone et comme néo-démocrate que la cour et le collège ont fait cette décision. Mais on a besoin d'aller en avant avec le dossier.

Là, on se trouve dans la situation qu'il y a moins de 10 jours dans l'année scolaire pour le semestre d'automne. J'avais demandé à la ministre plus tôt cet après-midi si la ministre était préparée à accepter de donner des directions au conseil d'administration du Collège des Grands Lacs pour s'assurer que les élèves peuvent finir, au Collège des Grands Lacs, au moins le semestre d'automne. Pourquoi ? Comme vous le savez, les élèves, si on ferme le collège aujourd'hui, vont perdre non seulement l'année mais justement leur session d'automne, et ils n'auront pas l'habileté de s'inscrire à un autre collège francophone, comme Boréal ou Cité collégiale, pour le deuxième semestre.

Je vais demander à la ministre : je veux avoir l'assurance que la ministre elle-même va diriger—pas faire une suggestion mais diriger—le conseil d'administration du Collège des Grands Lacs de garder le collège ouvert pour les environ sept à 10 jours que ça va prendre pour finir le semestre qui va finir, je crois, au début du mois de décembre. On est déjà rendu au 5 décembre.

C'était la première partie de la question.

La deuxième partie de la question est très simple aussi. Comme vous le savez, les étudiants ont payé de leur argent de leur poche et ont travaillé très fort pour payer leurs frais de scolarité. Le Collège des Grands Lacs n'a pas gardé le contrat avec eux. Le Collège des Grands Lacs a dit, « On accepte vos frais de scolarité au commencement de l'année. Venez à notre collège. On est ouvert pour vous. » Mais à peine un mois après, ils ont fermé leurs portes.

J'ai demandé à la ministre, « Allez-vous assurer que les élèves qui sont présentement au collège qui n'ont pas été transférés à d'autres institutions—est-ce que la ministre va ordonner au collège et à l'administration qu'ils s'assurent que l'argent, les frais de scolarité, que ces élèves ont payé soit redonné directement aux élèves ? »

Deux parties de la question : remboursement des frais de scolarité aux élèves qui sont là présentement, et deuxièmement, pour les élèves qui sont encore là, est-ce qu'ils peuvent y finir leur semestre d'automne ?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): The member's questions were very direct and I'll try to be direct in my response. I'm unable to comment on the main motion—the member understands that—in this case because it is still before the courts. It needs to be made perfectly clear that the government remains committed to ensuring a high-quality college education for francophones in southwestern and central Ontario. That's our goal. As a government, our first priority has been, and will continue to be, to do everything we can in these situations to make sure that the institution helps the students complete their academic programs. The ministry will support the college through a managed process to ensure that students get the high-quality education they deserve.

Now directly to the member, the college will provide the opportunity for current first-year students to complete their semester. On the second one, first-year students who are still enrolled at the college, who in fact have prepaid their tuition for the second semester, will have their second semester tuition fees fully refunded. That may not be the exact question that you wanted to have answered. There have been four students who have already made other arrangements. They have not only made arrangements to move on for programming in other places, but they have, as individuals, made individual arrangements around finances, sometimes beyond tuition. Individual arrangements are being made. The ministry officials have been assured by the college that it is willing to help any remaining first-year students who wish to enrol in another educational institution in January. We would expect that, but we want to reassure them. Some of these arrangements are individual arrangements between the college and the students.

I'm pleased that the court has concluded this uncertainty for the students regarding the status of first-year classes, because I consider this to be resolved. It is now up to the college to make appropriate arrangements with every single student. That has been our practice in the past in these situations. The college may now proceed to implement its academic decision to close first-year classes this semester.

I know that the member is most interested. We've been trying to work together all along. If he has further questions, I of course prefer not to do late shows, but I will immediately respond to him as quickly as I can.

Mr Bisson: On a very quick point of order, Mr Speaker—

The Acting Speaker: No point of order. The motion to adjourn is deemed to be carried. This House stands adjourned until 6:45.

The House adjourned at 1818.

Evening meeting reported in volume B.

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of Ontario**

Second Session, 37th Parliament

**Assemblée législative
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Deuxième session, 37^e législature

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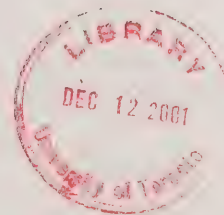
Mercredi 5 décembre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers



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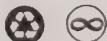
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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 December 2001

The House met at 1845.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: There's no quorum in the House. Would you check for quorum?

The Acting Speaker (Mr Michael A. Brown): Is there a quorum present?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant: A quorum is now present, Speaker.

ROYAL ASSENT SANCTION ROYALE

The Acting Speaker (Mr Michael A. Brown): I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

Clerk at the Table (Mr Todd Decker): The following are the titles of the bills to which Her Honour did assent:

Bill 14, An Act to encourage awareness of the need for the early detection and treatment of brain tumours / *Projet de loi 14, Loi visant à favoriser la sensibilisation à la nécessité du dépistage et du traitement précoces des tumeurs cérébrales;*

Bill 87, An Act to regulate food quality and safety and to make complementary amendments and repeals to other Acts / *Projet de loi 87, Loi visant à réglementer la qualité et la salubrité des aliments, à apporter des modifications complémentaires à d'autres lois et à en abroger d'autres;*

Bill 109, An Act to enhance the security of vital statistics documents and to provide for certain administrative changes to the vital statistics registration system / *Projet de loi 109, Loi visant à accroître la sécurité des documents de l'état civil et prévoyant certaines modifications administratives au système d'enregistrement des statistiques de l'état civil;*

Bill 120, An Act to proclaim a day and a month to celebrate Portuguese heritage in Ontario / *Projet de loi 120, Loi proclamant un jour et un mois de fête du patrimoine portugais en Ontario.*

Bill 127, An Act to implement measures contained in the Budget and to implement other initiatives of the Government / *Projet de loi 127, Loi mettant en oeuvre certaines mesures énoncées dans le budget de 2001 ainsi que d'autres initiatives du gouvernement.*

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 décembre 2001

ORDERS OF THE DAY

STATUS OF BUSINESS

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): I move:

That, notwithstanding the prorogation of the House,

(i) all government bills;

(ii) all private members' bills;

(iii) all private bills;

remaining on the Orders and Notices paper at the prorogation of the second session of the 37th Parliament be continued and placed on the Orders and Notices paper of the second sessional day of the third session of the 37th Parliament at the same stage of business for the House and its committees as at prorogation; and

That the order of precedence for private members' public business be continued in the third session of the 37th Parliament.

I'll be sharing my time with my colleague the member for Durham.

.1850

Mr John O'Toole (Durham): I was pleased that the Minister of Agriculture was brief in his remarks and, secondly, there's more time on the task. I think he meant it respectfully, but I'm not certain if I'm supposed to share my time with the member from Northumberland. My first preference would be not to.

Hon Brenda Elliott (Minister of Intergovernmental Affairs): And the member from Guelph.

Mr O'Toole: However, the member from Guelph is anxious to enter into the debate as well.

I think for those viewing—

The Acting Speaker (Mr Michael A. Brown): Order. To be helpful, you're telling me that you're sharing your time with the member from Northumberland and the Minister of Intergovernmental Affairs; right?

Mr O'Toole: Yes. Thank you, Mr Speaker. And I do that with some hesitation.

However, it's a real pleasure this evening because members viewing tonight, and I hope some of the members in the House tonight—there are so few here that I feel rather able to express myself without too many conditions, because there aren't many members. They're actually participating in a fundraising activity from the press gallery, for which I commend the press gallery.

Also, it's very important to recognize, as mentioned earlier today, the international day of volunteers. Minister Jackson spoke to that earlier today.

I think this is an important opportunity to be a little bit more light-hearted on a serious issue. I commend the House leaders, Ms Ecker, the Minister of Education and government House leader—I suspect with some concurrence from both the opposition and third parties—for making sure that there is the ability for some continuum in the business of this House so that we're able to have some continuity between the business before Christmas and sometime after Christmas. There will be no loss in the time that has been spent deliberating in this chamber on both sides of the House, I might say, on the important matters before the government. In fact, I'm pleased to say that there are matters in private members' business etc that have been brought forward by all members of the House, including myself. Not to be too self-serving, I'm going to list some of the more recent issues that have been put on the order paper, and I'm going to mention just a couple of private members' notices of motion which were introduced in the last couple of days.

I look on this notice of motion here, and I have to thank the table clerks for helping me to bring forward an important resolution at this time of year. I, like many members, have participated in the stop impaired driving and the attempt to address the issue of the holiday season and to Reduce Impaired Driving Everywhere, the RIDE program, as well as the work done by Mothers Against Drunk Driving. In responding to their correspondence, I made a resolution yesterday, which is on the order paper today, dated December 4. The point is that this resolution will stay on the order paper and potentially in the future will get a time to be debated. I'll read it.

"That, in the opinion of this House, the Legislative Assembly of Ontario should formally request that the federal government act decisively and immediately to reduce impaired driving in our country by amending section 253(b) of the Criminal Code of Canada to reduce the current federal blood alcohol concentration (BAC) limit from 0.08% to 0.05%." I filed this resolution with the table yesterday, with some support from them.

Also, looking at the bills and the resolutions that are important to members, this is their opportunity to state on behalf of the stakeholders and constituents what they might believe on behalf of the people of Ontario.

Mr Tilson, who is the member from Dufferin-Peel-Wellington-Grey, has a resolution here: "That, in the opinion of this House, the Highway Traffic Act should be amended to make the use of approved 'booster seats' mandatory for all children between the ages of four and nine years and/or weighing between 18 and 36 kilograms (40-80 lbs) travelling in motor vehicles." This was filed on November 21. That is an issue that I might have some exception with. I think infants and booster seats are not covered currently under the Highway Traffic Act. So he's trying to provoke debate on an important matter of public safety, and there can be arguments for and against.

I'm reading through here in no particular order. One that was filed on June 28 by the member Garfield Dunlop, who is from Simcoe North, says, "That, in the opinion of this House, the government of Ontario should

investigate ways to allow emergency workers, good Samaritans, and victims who might have been infected with a deadly disease to have the right to access a person's medical information to determine whether they are at risk of being infected." I might bring to the attention of the House that this paper I'm looking at is a bit out of date, because on the firefighters' day here at Queen's Park, I believe that resolution, or some part of it, was passed.

Mr Lalonde, a member of the opposition from Glengarry-Prescott-Russell, made a resolution here, "That, in the opinion of this House, the City of Ottawa Act, 1999, should be amended to implement recommendations 4 and 5 of the Shortliffe report, presented to the Minister of Municipal Affairs and Housing on November 25, 1999." This was filed in June.

That just gives you a little flavour of some of the resolutions. These issues will not be lost because of the ability of the House leaders here to work together to bring about some continuity, to allow government business and private members' business to go forward over the next period of time.

Members, as I said, have the opportunity to introduce not just resolutions but indeed private members' bills. I'm going to spend some time of the hour that I have—well, I'm going to split that time; hopefully about 40 minutes for me and 10 for Mr Galt and 10 for Minister Elliott. That's just a forewarning for them not to prepare too much material.

I had quite a bit of feedback on an issue; it's actually Bill 49. I'm going to go through it here for members at home. I think that's still the number. It might be called Bill 99 now, because they change numbers. That's actually the cell phone bill. That bill was introduced—

Mr John Gerretsen (Kingston and the Islands): No, it's still there. It's ready to die.

Mr O'Toole: It's still here. For the members of the House, who may want to pay close attention, this is a bill that crosses all political boundaries and stripes. It's a bill that I would encourage members on the opposite side of the House to take some time to reflect on.

Bill 49 is an Act to amend the Highway Traffic Act to prohibit the use of cellphones and other equipment while driving on a provincial highway—

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Who wrote that?

Mr O'Toole: That, member for Ottawa-Nepean, was a private member's bill.

Hon Mr Baird: By whom?

Mr O'Toole: The member from Durham. That's me.

Hon Mr Baird: A good member.

1900

Mr O'Toole: Where did it come from, though? Not to be self-gratifying, that actually came from one of my constituents. I should put on the record here tonight I heard from a constituent. They were very concerned. They observed a motor vehicle accident. They thought

they observed the person driving the vehicle that went through the stop light was on a cellphone. So they contacted my office to see if there was anything under the Highway Traffic Act, and my good staff, in duty, checked with members from the Ministry of Transportation and found that indeed there wasn't any specific reference. The only tool available was a careless driving charge, which could amount to significant amounts of fines and it could amount to significant amounts of money as well as points.

What we've tried to do with this is to use this Bill 49 for debate and for public understanding of an important issue, the invasion of technologies in the automobile, whether it's GPS, navigating systems, monitoring systems, voice systems, radios, CDs, all of the technology. Much of it is interactive, and my argument is that some of that is a driver distraction.

There's been a tremendous amount of response in the press, and with the help of my staff we sent that to other provinces. Indeed, two provinces have moved forward with that bill; at least it's in their Legislature now. A federal member from Manitoba actually moved it in the federal Legislature. Of course, you would know that the Highway Traffic Act is a provincial jurisdictional area, but they did move it for the sake of public safety, once again. I'd expect I'd have support from all sides of the House on that bill.

I am working with the Minister of Transportation, Brad Clark. He is responding. But I'm also working with driver education. It's my attempt in this debate on Bill 49 to encourage those people who develop the curriculum for the G1 and G2 licensing systems, all driver training, to introduce a module dealing with driver distraction—cellphones, paging devices, e-mailing devices, electronic equipment in the cars—and in that there should be a module to not constitute a safety hazard on our roads. I'm just going to go through how important this is to me personally and to my constituents of Durham.

Actually, I have another bill here. It's in the order paper here, if members are following along; I see many of them are scrambling to get their papers to follow along. This is government motion 52, which is the second reading of Bill 52, An Act to amend the Legislative Assembly Act. Who submitted that? That's my bill. What is the intention of that bill? The Speaker, like you, Mr Speaker, is a person who respects order and decorum in this House and has to make calls, some of them rather difficult calls, against his colleagues. This bill is to discuss and improve the standing orders and the Legislative Assembly Act with respect to decorum, naming members, having consequence for outlandish behaviour in here so that people have some respect and accountability in this House. My constituents, who have watched these proceedings on television or in other forums, were frustrated and embarrassed by the often childish behaviour in this chamber, so on behalf of my constituents, once again, we introduced that bill.

My empowerment, like any member here, comes from the people and it's humbling. Sometimes I may not

fundamentally appreciate their point of view, but it is my duty to either write the minister or communicate with the minister or introduce a resolution, in fact refer things to the Environmental Commissioner or to the Ombudsman, which I've done. No government is perfect, of whatever stripe, but it's important to put it on the record. Just looking through the record here, it's unusual that there would be so many moved by me, but it just so happens.

Another motion here, second reading of Bill 62, An Act proclaiming Physical Fitness Day. I moved that some time ago. That bill has provoked discussion on an active lifestyle. We all talk about health and health dollars. I believe that health starts with me, with each individual, having some responsibility for their lifestyle, to the extent that's possible—sometimes we have health conditions that are genetic, hereditary, environmental etc—but to the extent possible, to take some responsibility for keeping a healthy diet and a certain amount of exercise. That bill respects the fact that there's some personal responsibility in the health care debate. That's entirely what it's about.

I have constituents asking me, "What ever happened to phys ed in our schools?"—just the matter of teaching children, our young people, how important it is to stay physically active. That came to me, actually, from a teacher who felt there wasn't enough emphasis being put on mandating physical education, in fact, just plain health, nutrition and activity.

All members who will speak tonight on this will bring forth similar arguments. There's a list of things here that are private members' initiatives, and considerable time is spent on those things. But then there's the whole issue of opposition motions, and there are also government motions. I think it's so important, because at this time of year, everybody's pulling certain little antics to try and delay the process.

You might know that I'm the aide to the Minister of Finance. The finance and economic affairs committee is in session right now. In fact, this evening, quite late, 9:30, 10 o'clock, we leave to go to Thunder Bay for hearings on Bill 125, An Act to improve the identification, removal and prevention of barriers faced by people with disabilities and to make related amendments to other Acts.

That bill, substantively, is an initiative, a commitment, a promise by this government to deal with barriers and the removal of those barriers, to recognize the barriers—attitudinal, physical and other kinds of barriers—for people with special needs. These are people who have what I prefer to call special abilities, not disabilities. They have special abilities.

Minister Jackson introduced this bill, I might say, on November 5, after six-and-a-half years of consultation on this bill. It's difficult to find the right balance. We've had quite successful hearings. Of all the people who have attended whom I've heard, it's been very respectful. There are those who strongly believe there need to be more teeth in the bill. I'll go on the record in a minute on the four issues I've heard. The issues in that bill we heard

about in Ottawa, and we heard it in Windsor on Monday, we heard it yesterday and today in Toronto, and we're going to Thunder Bay and Sudbury. I'm sure there'll be further consultations, and then after that there'll be the resolution.

But the potential risk of losing this bill, after all the work of the stakeholders and others, would be a shame, because there has been considerable effort by many stakeholders from all different sorts of needs areas.

The four key areas I've heard: there are the timelines this bill has for setting up the directorate and the consultation committees; the resources supplied within the bill; the enforcement mechanisms in the bill to require government to require the private sector to remove barriers; and the fourth issue that I suspect is important is the enforcement mechanism as well, in making sure the private sector is encouraged, not just voluntarily but to put some further teeth in that.

So the government does listen. There is a bill that I think it would be a shame to lose because the House is trying to find a way to adjourn in the next couple of weeks so people can spend time with their families. Many members here have to travel around.

Another very important bill that just passed today, a bill I'm proud to have had some involvement in, quite a significant bill, is Bill 127, An Act to implement measures contained in the budget, Minister Flaherty's economic statement from November 6. It just passed today, fortunately.

1910

I'm looking at another one here, a private member's bill, Bill 129, by my colleague Julia Munro. This one is An Act to amend the Ontario Society for the Prevention of Cruelty to Animals. This is our member's response to the whole puppy mill concept. I think it's extremely important. She's consulted widely with many, many groups that have specific regard for the quality of life of animals and pets.

Bill 130 is another one, introduced here by Minister Helen Johns on November 7. Bill 130 is An Act respecting community care access corporations, CCACs. You've heard Minister Johns respond to numerous questions on that and she has explained it to some extent. The government recognizes that people recover quicker and much more comfortably in their own home, so we've put about initiatives to further enhance the funding available to community supports: nursing supports, therapy supports, homemaking supports and other supports—a very, very expensive model, but it is the longer-term right thing to do.

In fact, the federal government made commitments in the election to do something about national home care and national farm care, but I'm afraid it's like their vacant promises—and I hate to just go off on a tirade here. They promised to cut the GST, they promised to cut free trade, they promised the helicopters, the airports. A promise made by the federal Liberals is absolutely a vacant promise.

This government has made significant choices about setting up these coordinating agencies called CCACs. There has been considerable time spent on Bill 130. I must respect the volunteer board in my area; I'm quite satisfied with them. They recognized that the government doesn't have an endless pot of money, yet they have to make difficult decisions about aligning the level and kinds of services they provide in a community. My riding of Durham region is a large geographic area, not as large as yours, Mr Speaker, but quite diverse. To get the people and systems to those remote areas to help and support those people who have been discharged from hospitals—very treacherous ground. How do you equalize the level of service everybody gets? In Toronto, their level of service is going to be higher and more accessible than the level of service in northern Ontario, for instance. So this is a very, very important bill. It would be a shame if Bill 130 doesn't pass; for certain we wouldn't like to lose it on the order paper.

Another bill that I feel is extremely important that just passed—I'm pretty sure it passed; as I say, I've been on committee hearings—is the Oak Ridges moraine act. Minister Hodgson tried to find, as with all legislation, that balance between property rights issues while at the same time respecting the environment. Now, we are a pro-jobs government, but we are responsible for public safety. That includes environment and it includes having Smart Growth. Minister Hodgson has worked so hard to get people to rethink.

Under the leadership of Mike Harris, as well, he's taken back some of the transportation issues that municipalities at all levels have been unable to deal with, whether it's at the Toronto level or the GTA level or the GTSB, the Greater Toronto Services Board. The province has taken that back and committed, it's my understanding, about \$9 billion. We're still waiting for the federal government, Mr Collenette, to make some commitment.

Minister Hodgson is here and I'm just going to ask him to nod. Has the Oak Ridges moraine bill passed?

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): It's in second reading.

Mr O'Toole: And it's Bill 122? My point is this: it's a shame if that bill is lost. Of course it's going to be a complex issue. People have bought land on the moraine and have moved some distance on development. People have rights. They may not gain the success of their application at the end, but they have rights to apply for rezoning and for whatever. You can't stop that. This is a free country. But at the same time, he set up a framework to move them out of that. Very little development will occur on the moraine, yet there will be pressures on part of Durham and the Seaton lands as part of that transfer takes place. It's a very complicated process. I'm convinced though, because this government is public and this government is accountable, they will find the right way. The first achievement—let's look at the positives—will be to put obstacles in place that significantly restrict development and land use issues on the moraine for our common good.

I really feel that I reflect on that. The minister's here. I'm pleased to say that I don't want that bill to die, nor do my constituents. I can think of names and faces—at the risk of forgetting one or two—who have worked for a generation. When I was on regional council and local council in Newcastle and Durham, this issue was an issue for the Liberal government; it was an issue for the NDP government, who developed the strategy document on the Oak Ridges moraine. This has been around for 10 years. No government in the last decade—and I'm not being partisan, because I sat on council—had the intestinal fortitude to actually move forward with that bill.

There's an example, a small array of bills. There are just a couple more things I've heard about. I'm going to wind up at 30 minutes, because that would make it fair. I get half and you get the other half.

An Act to facilitate the making, recognition and variation of interjurisdictional support orders: this is the Family Responsibility Office issue. Our constituency office, like many, spends an inordinate amount of time dealing with interjurisdictional support orders. It's Bill 131, moved by the Attorney General, David Young, on November 8. That's another bill that needs to be discussed, needs to be debated. We don't need to back away. This government needs to solve that problem, and I know this is the government that will take on the difficult issues.

Another very important one is by a good friend of mine, a private member's bill moved by Mr Wood, the member from London south or around London somewhere. Pardon my disrespect there—London West. The member from London West moved that. It's An Act to amend the Public Inquiries Act. It's a private member's bill. But because of the lack of time—the member for Northumberland is getting frustrated and the member from Guelph is also putting some pressure on me. I respect them, but I would ask for unanimous consent that I continue.

Bill 133, An Act to amend the Optometry Act, by Mr Kormos: well, I hope his vision improves, so I'll be supporting his right to talk on that bill.

Another one, by Minister Snobelen: this minister has worked tirelessly; actually, he's exhausted from the work he's done on An Act to recognize Ontario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission. This minister is trying to leave another trademark in this province, a footprint in the forest, some might say. This was moved by the minister on November 19. It's part of his grander vision of Lands for Life, the right to the heritage of this great, wonderful province, indeed this wonderful country. I'd hate to see this bill die and him move to the United States. That would be a shame.

Bill 138, An Act to amend the Arthur Wishart Act, the franchise disclosure act moved by Mr Martin on November 21: I was the PA to the minister when the Art Wishart Act was adopted. There was unanimous consent by the Liberals and the NDP on that bill. Now we've got the current dispute on the franchise act that my con-

stituents are affected by. I support that we need to respond to some of those issues as well.

My last comment is that Minister Stockwell, the Minister of Labour, has moved Bill 145, An Act to amend the Occupational Health and Safety Act. It's quite a small bill, but a very important bill.

These are just some examples, and I'm sure the other members will trudge out their litany of important issues.

I appreciate having this opportunity and this time, to share the limited time I've been given with the member for Northumberland and the minister from Guelph-Wellington, one of the more spectacular intergovernmental affairs ministers we've had in the last year—well, in fact she's the only one. I don't have a lot of time to spend on the issues. With respect to the other members' time, I'll stop now. Thank you for the time to put my constituents' concerns on the record.

Mr Doug Galt (Northumberland): It was very thoughtful of the member for Durham to take the first half of the hour and leave the other half of the hour for the member from Guelph-Wellington and myself. That seems quite fair, in this Legislature, the way the member from Durham divides it up. It was very thoughtful of him to stop halfway through.

This is the Christmas season we're into. Christmas is approaching, and it seems very logical that we should ensure that the bills presently on the order paper remain there should the House prorogue, and probably will prorogue, on the evening of the 13th, probably late that particular evening. We're really debating a motion to carry over business notwithstanding prorogation.

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Mr Gerretsen: You've lost all your leverage.

Mr Galt: Who's to know? There are probably a lot of negotiations on the part of the House leaders. When it comes to House leaders, it's two to one and so they carry a lot of weight, the NDP House leader and the Liberal House leader. There's only one Conservative House leader. If there's a vote taken, the opposition obviously is going to win. That's just the way it is.

Mr Gerretsen: On a point of order, Speaker: The member well knows that the government House leader calls all the shots.

The Acting Speaker: That's not a point of order. The member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker. Certainly the member for Kingston and the Islands is aware of the situation we find ourselves in. The Premier of Ontario, the Honourable Mike Harris, has made a decision to step down. He's been a tremendous Premier and has led us through some very difficult times. He has taken us from those difficult, impossible 10 years, the lost decade, and has turned this province around. As a result of his stepping down—and I'm guessing—probably the House will prorogue. If it does, then this will be protected.

Also, we know that the selection of the next Premier of Ontario is not going to take place until March 23. Probably the new Premier will need a month, five weeks,

six weeks, before the House is called back. Consequently it's important that there be business on the docket, such as these bills, so that when the House is called back it can proceed right into business and will continue at that point in time consistent with the policies that have been developed by a great Premier, Mike Harris.

Interjection.

The Acting Speaker: Order.

Mr Galt: Thank you very much, Mr Speaker. It was getting to the point I could hardly hear myself.

As we move into this time, I respect that the private members' bills brought forward by the opposition parties, both the official opposition and the third party, should be recognized as well as government members' and government bills that are presently on the paper.

I'm particularly concerned, because I have one that's sitting there, Bill 33, the outside riders act. It's my private member's bill. We got it through second reading and committee. Unfortunately it was blocked from getting unanimous consent last June. As you're aware, to get a private member's bill through third reading we must have unanimous consent, and those kinds of things are negotiated on the last evening we sit. That bill was in memory of Jay Lawrence and Bart Mackey, two young men who were flipped out of the back of a half-ton truck along with another individual. These two were killed and the other one was seriously injured on a curve very close to where I live—as a matter of fact, a little south of where the Big Apple is along Highway 401. That's Percy Street going down into Colborne, a tremendous business that's been set up by entrepreneurs in my riding. Actually it was very close to Hoselton Studios. That's the studio that makes these aluminium geese that sit on a stone. You see them in all kinds of gift shops—just a tremendous business. Actually, he came from the little village of Bath, where I grew up as well. He has developed this business as an artist, shipping all over the world. The accident happened right in front of his home.

I would certainly like to see this bill see the light of day. Certainly the Minister of Transportation, the Honourable Brad Clark, is extremely supportive of this particular bill. I think it was very unfortunate that it was blocked last June. I hope that on the evening of December 13 it will be recognized and will get approved on this occasion. I know that their parents would be very appreciative of this Legislature if that bill were to be passed. I look forward to having third reading take place on the 13th, so that we can recognize them.

That's one particular bill. I know how I feel about my bill, and I'm sure that other members feel similarly about the private members' bills they have sitting and waiting through second reading or possibly through committee, and they want to see them flow as well.

Also very close to my heart is a government bill, Bill 81, the Nutrient Management Act. I trust it will make it through before the end of next week, but should it not, it's very, very important.

Interjection.

Mr Galt: Well, many names have been used on the bill, but it's pretty important to looking after our water. That member is one of the first to complain about concerns with water, and it would be in order if he would support this particular bill to help protect the waters of this great province of ours.

The member from Haldimand-Norfolk-Brant and I spent considerable time two years ago touring this province, consulting. Farmers and environmentalists alike came up with some great information. This bill has been consulted. If there's any criticism of it, it's that it's been held up because of consultations and we should get on with getting it through the Legislature. We even went out, Mr Speaker, after first reading; we had first reading last June, as I'm sure you'll recall. We went out on the road in late August and September and made some nine stops, I believe, across eastern Ontario, western Ontario and even into the north as well. This bill has been consulted and has been looked at and has had hearings. It's time that we got on with it, and there's a commitment from the minister and his staff that there will be thorough consultations on the development of regulations that will come through very, very quickly once this particular bill is passed. But should it not get through by the 13th, it's so important that it at least be on the order paper and we wouldn't lose the time.

I know that farmers support this and eagerly await it. They want some regulations to work within, to have some standards across the province rather than the piecemeal, patchwork type of municipal bylaws. That's not a criticism of municipalities and individuals who are doing the best they possibly can. But some of the large operations try to zero in on municipalities that have the weakest bylaws and want to set up operations there. This would give standards all across the province. A consistent nutrient management plan would be approved by the ministry, or possibly its designate, down the road and there would be some consistency there, at the same time recognizing the need for flexibility because of the kinds of seasons we have in, say, New Liskeard versus Chatham—very, very different—or the soil types around Chatham, with the tremendous depth of clay there, versus, say, Kemptonville or, down in eastern Ontario, in my own riding, Brighton, the rolling hills of Northumberland—quite sandy, very, very different kinds of conditions. Therefore, the bill incorporates the nutrient management plan that would be approved, and therein would lie that flexibility.

I would really hate to see this bill in particular die on the order paper if it doesn't get through by the 13th. What's better is that it would be through by the 13th.

Looking around behind me, I see the member from London West, who has Bill 6, the Protection of Minors from Sexually Explicit Goods and Services Act. I'm sure this member would want to see that bill carried through and be available for debate next spring, once the House comes back. I think he'd be very disappointed if the House prorogued and that bill ended up dying. I think of Frank Mazzilli's Bill 50, the Improved Safety on 400

Series Highways Act. If I remember correctly, that bill has to do with people occupying the left-hand lane and being so inconsiderate as not to let other people around.

Bill 76, the Farm Implements Amendment Act, brought forward by Toby Barrett, so that no large farm organization could force an individual implement dealer to carry only one line, and that they could carry other products. Also, they run into some real difficulties when they're obliged to carry lines that no farmer in their area is interested in. In my area or in eastern Ontario, if you're obliged to carry, say, equipment for tobacco country or equipment specialized for potatoes, it's of very little use. They find themselves in those kinds of situations, and Mr Barrett has brought that bill forward. From what I hear from farmers and implement dealers in my area, this is a pretty important piece of legislation, and I hope that maybe, just maybe, the opposition parties would see it similarly and let that particular bill go through on the 13th.

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I look at a bill like Bill 78, by a Liberal, Pat Hoy, the Occupational Health and Safety Amendment Act (Sexual Harassment). I would think that party would similarly want to see a bill such as that go through.

Bill 106, the World Teachers' Day Act, by Rosario Marchese, a beautiful speaker—I'm so entertained when he speaks in the Legislature. He really has a lot of content and puts a lot of physical effort into his presentations. He's one of the better speakers we have in this Legislature. What a shame if that bill would die on the order paper.

Then I think of Bill 128, by Rick Bartolucci from Sudbury, the Highway Memorials for Fallen Police Officers Act, another bill recognizing some very dedicated people who look after law and security in our country, and again an act that I think would be a shame to have die on the order paper.

I've been talking about a lot of responsible activity, but I kind of think in terms of what I read in today's paper about irresponsibility that's been going on, some \$16.3 billion in grants and contributions that the federal government approves on an annual basis and can't seem to keep track of. Some 7,500 dead Canadians received heating rebates. What a shame. Another 4,000 people living abroad also received the rebate, and some 1,600 jail inmates got a rebate for heating. Now, maybe it's getting chillier in jails than I realized. Worse still, those dollars were sent out just prior to the last federal election. Were they buying votes? I don't know, but you really begin to wonder. Very unfortunately—it was for low-income earners—less than \$350 million of the \$1.4 billion that went out actually went to low-income earners. Where did the rest go? I really don't know.

Last month, I was roundly criticized by the member from Windsor West for comments I made—

Mr David Caplan (Don Valley East): No.

Mr Galt: Yes, I was, and it was most unfortunate. I was commenting on the lack of response of the federal government to the September 11 incident. In fact, the Auditor General is saying basically the same thing. She

goes on to point out evidence that Canada's military has to literally beg for spare parts to keep their equipment in a state of readiness. This is from the Auditor General. She said that urgent requests for parts are only filled 34% of the time, and often parts received are defective, which leaves soldiers to fend for themselves.

Mr Gerretsen: On a point of order, Mr Speaker: I would suggest to the member that if he's going to talk about an auditing report, he should—

The Acting Speaker: That is not a point of order. Sit down. The member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker.

I was going to comment on some of the things that were not enforced by the federal government. It isn't enforcing income taxes for non-residents. As a result, more than \$800 million in capital gains was moved to Barbados—

Mr Caplan: On a point of order, Mr Speaker: The member is inciting me, but I want to know if we have a quorum present.

The Acting Speaker: Is there a quorum present?

Clerk at the Table (Mr Todd Decker): A quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Northumberland.

Mr Galt: Thank you very much, Mr Speaker. When I was so rudely interrupted, I was speaking about the taxes that have been lost from this country because of people moving those dollars to Barbados. It sounds like a good place to move it, but then I wonder how many other Caribbean islands and how many other countries dollars have been moved to.

Then I look at the employment insurance. They increased the surplus, the reserves, by \$8 billion in one year, up to \$36 billion when they only need \$15 billion. This is a tax on employment. It drives away jobs. I hear it over and over again in my riding. They compliment our government for reducing payroll taxes, but here's the federal government leaving tax on payroll. Maybe if they wanted, they could roll some of that \$8 billion into health care and put it to good use, but no, they're just leaving it in surplus.

I think of Human Resources Development Canada, HRDC, and the mess that was in a couple of years ago. At least that's straightening out just a little bit.

The Auditor General talks about the problem with health care and the fact that Ontario's is increasing but the feds continue to drag their feet.

There were also comments—and I wouldn't want to be too awfully negative on the feds, but I look and I think about the solidarity that has occurred recently with the "Canada Loves New York Day," when thousands of Canadians went down. Lo and behold, the Prime Minister was there. He didn't go when he should have, shortly after September 11; he went to a Liberal fundraiser instead when he indeed should have been in New York

supporting the mayor of New York, supporting the President of the United States, but instead he went to a Liberal fundraiser, which was most unfortunate.

Just looking at some of the clippings, coming across comments—when we talk about security, I just want to look for a moment here in the Toronto Sun. Stephanie Rubec is talking about how “Canada’s military is so hard up for spare parts that soldiers have had to go begging for them, the Auditor General says.” It goes on to say:

“But until steps are taken to manage equipment readiness more adequately, these claims should be taken with a grain of salt.

“Fraser said that urgent requests for parts are only filled”—I mentioned that.

It also talks about how “in Kosovo, when CF-18 fighter pilots had to beg the Spanish military for replacement batteries because the Canadian order arrived depleted.

“And the lack of a central inventory caused Canada’s four destroyers to stock a whopping \$29 million in spare parts on board, enough for 20 years.”

Mr Speaker, I know you think that maybe I’m just a little off topic. I was going to mention for a moment the Safe Drinking Water Act that Marilyn Churley has brought forward, and it has received second reading. I know that the third party would be concerned if a bill such as that one didn’t make it through. I appreciate Ms Churley’s concern for safe drinking water, and I think every member of this Legislature feels the same way.

Then there was one that Mr Hastings brought forward, the Saving for Our Children’s Future Act (Income Tax Amendment), a private member’s bill. It’s been through second reading and has received amendments from committee.

There’s just another one in here I wanted to comment on and then I’m going to turn the rest of the time over to my good friend from Guelph-Wellington. This is one is from Steve Gilchrist, who is the member for Scarborough East, the Ontario Natural Heritage Act, 2001. This bill has been carried through second reading and is waiting to go to committee, again a very important bill.

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In conclusion, I recognize the importance of this debate on a motion to carry over business notwithstanding prorogation. I also look forward to a motion that will indeed approve some of the committees, particularly the select committee on alternative fuel sources, that will be able to sit this coming winter prior to the House coming back.

In recognition of the leadership race that’s on, we wish all five candidates well, and possibly a sixth one, if he or she comes aboard, decides to join in this race. We know that in the end only one will make it and I look forward to a united party to lead a government through the remainder of this term.

With those comments, I look forward to the comments from my good friend from Guelph-Wellington.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: There is a fundraiser going on in aid of the United Way, and I think it’s very unfair

because it’s for all of the members to support, and for Mr Caplan to call a quorum is unfair.

The Acting Speaker: That’s perfectly in order. You are out of order.

Mr Gilles Bisson (Timmins-James Bay): On a point of order, Mr Speaker: Would you check to see if there is a quorum?

The Acting Speaker: Is a quorum present?

Clerk at the Table: A quorum is present.

The Acting Speaker: The Minister of Intergovernmental Affairs.

Hon Mrs Elliott: I’m pleased to rise and speak in support of the motion before the House this evening. My colleagues from Durham and Northumberland have been speaking about the various bills that are before this House and have been presented for debate. What this motion before us tonight is about, I would remind those who are listening—

Interjections.

The Acting Speaker: Order. Only one person can speak at a time. It is highly unusual for government members to heckle another, so let’s let the Minister of Intergovernmental Affairs have her 11 minutes and 2 seconds.

Hon Mrs Elliott: You’re very kind, Speaker. Thank you.

The motion—

Mr Bisson: On a point of order, Mr Speaker: Let’s check it again for quorum.

The Acting Speaker: Is there a quorum?

Clerk at the Table: Quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: Quorum is now present, Speaker.

The Acting Speaker: The Minister of Intergovernmental Affairs.

Hon Mrs Elliott: Thank you again, Speaker.

We’re here tonight to debate, “That, notwithstanding the prorogation of the House,

(i) all government bills;

(ii) all private members’ bills;

(iii) all private bills;

remaining on the Orders and Notices paper ... be continued and placed on the Orders and Notices paper of the second sessional day of the third session.”

My colleagues have been talking at length about all of the bills that have been presented before the House for debate. There are three kinds of bills: the bills that are considered long and hard, with great consultation, and brought forward by various ministers for presentation and for the better governance of the province as a whole; private bills, which are special bills designed to meet specific needs in our constituencies—an example from my constituency would be a private bill such as put forward by B. Elliott which needs a change in its governance structure; and of course the third kind are private members’ bills, which are special bills that each backbencher is allowed to bring forward. There’s a ballot system to determine when those bills are able to be brought forward.

If this motion passes, the order in which people will be allowed to bring forward bills will not change. We will not have to start all over. Some folks have been waiting for some time to have the bill of their choice brought forward and presented to the House, and this motion will allow all of that to continue.

My colleagues have listed some of the bills they think are very important in ensuring that we have continuity and completion of legislation that's been presented. Some of the important government bills that we want to see continue and proceed to their completion are of course the Ontarians with Disabilities Act, a very important bill presented by my colleague the Honourable Cam Jackson, who has worked long and hard to try and respond not only to the needs of the disabled community but to the community at large in Ontario, recognizing that we all feel a need to do something better for the disabled community; the Oak Ridges moraine bill has been debated; literary proceeds; student protection; the Heritage Hunting and Fishing Act; the victims' rights act. My colleague mentioned the Nutrient Management Act. There are many acts that have been presented and are on the order paper that we do not want to see die at the end of the session.

There were a number of points of order here a few moments ago to check on quorum. Obviously there's a special event going on tonight. The press gallery is sponsoring a fundraiser for the United Way. That is often the case down here at the Legislature. There will be many receptions, with community groups and organizations coming in to meet members of the Legislature, to talk to them about issues. Often ceremonies are occurring, and of course during the Christmas season there are some very beautiful things occurring.

It's a challenge to be able to attend all of them, but there was a very special one that I'd like to draw to the attention of those who may be viewing, and that was the Order of Ontario, which was presented last night by Premier Harris and by our Lieutenant Governor, Hilary Weston. It was her last official function for the Ontario awards system. Last night, 27 outstanding Ontarians were being properly and officially recognized for the marvellous contributions they've made to the province in many capacities: sports, the arts, literature, the health field. It was not only a very beautiful ceremony held on the steps of the grand staircase down below, but it was of particular importance to constituents in my riding of Guelph-Wellington. We had two marvellous individuals who were thrilled to be honoured, quite frankly, and I'd like to mention their names.

Ken Danby, who I think is known internationally for his art, was recognized and awarded the Order of Ontario. It's actually a pin and a special medal that they are given. Ken has delighted people for years with his marvellous, realistic art. I happen to have one of his prints in my constituency office of a carousel that he did many years ago. In this painting, the little boy standing at a carousel in Guelph was actually Ken's son.

Another outstanding Ontarian and another outstanding person from Guelph, Terry Daynard, was honoured. Terry has been renowned in the agricultural field and was particularly recognized for his work in crop production research, teaching and advocacy. He is actually a founder and executive vice-president of the Ontario Corn Producers' Association. Terry has been a very valuable constituent in that from time to time he has come to see me to give me advice on agricultural issues. He has also provided some very interesting advice on meeting some environmental challenges we've been facing in the nation, and spent a lot of time talking to our ministry and the Canadian ministry of environment on carbon sinks, for instance.

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I would like to point out two other people who won the Order of Ontario last night, Signe and Robert McMichael of Belfountain, very near to my riding of Wellington, who are the renowned builders and donors of the McMichael Collection for the Group of Seven located in Kleinburg.

It was very interesting that Mr Danby was honoured last night, because when the McMichael bill was being presented and debated in this House and went through the committee hearings process—we're here tonight talking about how important it is to maintain continuity of the bills and to make sure we have an opportunity for them to come to fruition. Ken actually participated by presenting at one of the committee hearing meetings we had in support of the McMichaels. It was a lovely feeling last night to see Mr and Mrs McMichael and Ken there receiving honours all at the same time.

Another person who has been a great support to us in Ontario was Lewis W. MacKenzie. He's the major general, retired, from Bracebridge. He is the Ontario director of ICROSS Canada, the International Community for the Relief of Starvation and Suffering, which assists AIDS orphans and the poorest of East Africa. He has been an adviser to us here in Ontario in matters of security resulting from the terrible tragedy of September 11.

That is often what has happened here; we have gone to people who are experts in their field to seek their advice. It's how we create the bills that are presented here. My colleague from Durham indicated that the ideas for one of his private member's bills came from a constituent who saw a problem, discussed it with him, and it ended up being a piece of legislation that was presented here. This is why it's important to be able to take that advice that's received, formulate it into a bill, and present it for debate, discussion and refinement so that we make Ontario work better at the end of the day.

It seems like there are always more bills presented in this House than we ever seem to have time to debate. That's because we have a lot of people here in this Legislature who have marvellous ideas, and on both sides of the House I would say that is the case. We sometimes differ greatly on how things should proceed. Obviously with the Liberals, the New Democrats and the Conservatives here, we have very different principles by

which we operate and by which we think the world should work, and work better in Ontario.

On this side, we are of the view that government has a tremendous role to play in the province, that this is the vehicle by which we undertake to do things for people and institutions that are unable to do things on their own, and for the greater public good. We are here to make sure that organization or that institution or that service is delivered. Here on this side of the House, we do not believe it is the role of the government to do everything for everyone all the time. I would put to you that many of us came to this place in 1995 with the Common Sense Revolution, under the leadership of Premier Mike Harris, because we felt that Ontario was beginning to suffer under the thinking of entitlement, which in the long run is neither good for the individual nor the province as a whole.

These are the kinds of things we talk about when we're here debating. We talk about consequences that will come from a bill, we look to try and find ways to prevent unintended consequences, but most of all, when we present something here in the Legislature, we are looking for ways to make the province better.

Today I met with the Ontario Principals' Association, for instance. They were coming as a newly formed organization, coming out of a bill that we passed in the last Legislature, Bill 160—great upheaval, great upset. In fact, at that point in time the principals were complaining that we were doing a terrible thing to them by taking them out of the teachers' unions. At that time, we felt it was the right thing and we proceeded despite the hue and cry. I thought it was very gratifying today that the principals came to me and said, "Brenda, we think that legislation was actually the right thing to do. It has been beneficial for us as principals, as managers." But they were taking some time to talk to me about things they thought could be done better, some improvements to the system that I was grateful to receive. Quite frankly, the day that we don't have groups and organizations coming before us for change and for new ways of approaching things will be a sad day here in Ontario.

So I add my voice, with my colleagues from Northumberland and Durham, to say that I am pleased to support this motion. I hope my colleagues from across the way will also do the same. In the interests of continuity and in the interests of good government for the province of Ontario, I hope they will support this motion.

Mr Gerretsen: I'm very pleased to join the debate tonight. I'll be sharing my time with the members for Essex and for Don Valley East.

I would like to congratulate the minister. It's one of the few times in the last six years that I've actually heard a government member say publicly that members in the opposition, somebody other than their government, may actually have some good ideas about something. I firmly believe that good ideas can come from anywhere and any side. If we took the good ideas that float around from side to side from time to time, we'd have a better province, we'd have a better government and we'd probably

be a lot better off than we are. Congratulations, Minister, for acknowledging the fact that sometimes good ideas come from the other side.

There are just a couple of points I want to make at the outset. Over the last little while, particularly tonight with the member for Northumberland, it almost seems to me that the government members on that side of the House ran at the wrong time in the last election. They are so totally dominated by federal issues that maybe they thought they were running federally the last time and they weren't running provincially.

Mr Caplan: For the Alliance?

Mr Gerretsen: For the Alliance, probably. It seems like when they haven't got anything else to say, they take a swipe at the federal government.

Let me be the first to say that some of the items contained in the federal Auditor General's report were damning of the various government departments. Any wastage of money anywhere within the public sector, whether it's provincially, federally or locally, as I stated earlier today, is something we should all condemn. We all put our hard-earned tax dollars into the system somewhere along the line and we expect to get value for those dollars. The last thing that we need is for anybody at any level of government to waste that money. If the money is wasted, whoever's involved, whichever ministry is involved at whatever level of government, run by whatever party is involved, should be called to task. I don't have any problem with that at all. But we are a provincial Legislature. You would think that if anybody is going to talk about an Auditor General's report, he would stick to this document that our own Provincial Auditor came out with last week. It was very damning of the government in a number of different ways.

One issue I am very concerned about—I raised a question on this earlier—dealt with the fact that one of the ministries did not, in any way, shape or form, co-operate with the auditor. He had to comment on that, for the first time in nine years. By doing that, I think we are all not well served. We're talking about an officer of the Legislature, not somebody who has been employed by the government or by the opposition but somebody independently appointed in a process built around consensus, who does a study into a particular department and the way the ministry is run and comes to the conclusion that he's not getting the correct information or that the information is being denied to him. I would think all of us would condemn that kind of situation.

My point quite simply is this: if we're going to talk about accountability in government, why don't we stick to our own level first? Once we've got a perfect system here, where every tax dollar is being spent properly, then maybe we can start worrying about the other systems. But if you want to say something and want to get that deeply involved in the federal system, I strongly suggest to you that you run federally the next time.

The impression left by one of the government members is that somehow these are negotiating sessions between the House leader, the opposition House leader

and the third party House leader. I had the privilege of being involved with that group for three years when I was whip of our party during the last Parliament, and let me tell you, the word "negotiation" is grossly misused in this place. A negotiation takes place when you've got three individuals who have equal power, equal authority, equal decision-making ability and can actually say, "OK, you give a little and I'll give a little," that they're of equal power and authority etc and something can be negotiated. In the system we have here, where you've got a majority government with the majority of members, there is no such thing as negotiation. What the government House leader decides ultimately happens, and if it doesn't happen voluntarily, as a result of the other two House leaders backing off, then the government just brings in a time allocation or a closure motion. This government has used that tactic over the last six weeks with just about every bill it has brought in. Just about every bill it has brought in was time-allocated.

The real sorry part about that whole situation is that at one time the media and the people out there were outraged if a government used closure to stop the debate that takes place in our forum for democratic discussion. I can remember that a government fell on that back in the 1950s, a federal Liberal government, as a matter of fact, because they had used closure to cut off the pipeline debate. The unfortunate part, if I could just carry on with my thought, is that now we're using it almost on a daily basis and the media doesn't care and the people out there don't care. People shrug their shoulders and say, "Well, let's get on with life."

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Hon R. Gary Stewart (Minister without Portfolio): They like it.

Mr Gerretsen: Now this member says, "Well, you know, they like the legislation. They like it." That may or may not be so, but sir, you are totally missing the point. We live in a democracy, and in a democracy—

Hon Mr Stewart: We've made our decision.

Mr Gerretsen: Yes, you can make your decisions. You've made your decision. But in a democracy, it used to be that the only way a government would act was if in effect a bill was talked out. That doesn't happen any more. You, sir, your government—I don't mean this personally but collectively—have used closure since 1995 more often than all the other governments before that from 1867 to 1995.

I know the argument sometimes used is that back in the late 1980s—you say, "We've got more debate on a bill. In those days a lot of bills were only debated for an hour." Well, they were debated for an hour because nobody else wanted to say anything any more, presumably because they either realized they weren't going to get anywhere or they thought the law was good. But closure was not invoked as frequently as it is today. Just check the records on that.

If a government member tells you, interest group out there, "We would pass your bill if only the opposition would let us," I want you to be absolutely sure, members

of the public, that the opposition does not control that. If the government wants to pass a bill which you and other people have an interest in, they control the whole process and they can pass that bill any time they want because they invoke closure any time they want. So don't ever let them try to convince you, "Oh, we'd pass that bill if only the opposition would let us."

Now, there are ways in which the opposition can sometimes delay the passage of a bill, but even a lot of those powers have been taken away. Just look at your standing orders. People are now limited to debate for 20 minutes and then, after seven hours of debate on a particular subject matter, it goes down to 10 minutes. Debate can in effect be finished on any item a lot earlier than it was in the days when Peter Kormos stood in this House for 24 hours to talk about a bill. Basically, a bill couldn't be shut off for debate back then unless closure was invoked. The rules of this House have become such that it's much easier and quicker for a government to pass a bill. No question about it.

Please, please, general public, don't be fooled into the notion that "Well, the bill would be passed if it weren't for that awful, awful opposition." As demeaning as it may sound to those of us who are sitting in opposition, we don't control. All we can do, at most, is delay and hope that during that time the government will come to its senses and maybe make some changes as a result of what they hear at public hearings, or as a result of what they hear here or whatever. They control the system.

As far as this motion is concerned, let me first of all say that I agree with it. An awful lot of hard work has gone into the 147 bills currently on the docket, both government bills and private members' bills, and it would be a tragedy if it were decided that when this House was prorogued—and people have to understand. What does proroguing a House mean? It basically means this session of Parliament is finished and a new session can be started at any time when a new government comes in. We'll have to wait until the Conservative leadership race has been decided on March 23, so it will probably be some time after Easter. Obviously, a new government, with a new Premier, wants to come in with a throne speech, so proroguing a House starts afresh. That used to be the system.

With this kind of motion here, of course, you don't start afresh. You already start with 149 private members' and public bills on the register, as it were. The question then becomes, why are you proroguing? You know why you're proroguing. Lay it right on the line for people. I want the member for Oshawa to listen to this. If we did not prorogue, it means that according to the House calendar we would have to be back here on March 18. That's what the House calendar says. You don't want to come back on March 18 because you're having a leadership race on March 23. That's the reason. And you want to give whoever wins on March 23 a certain period of time, let's say a month, to get a new cabinet and to get a new direction and to have some sort of throne speech ready. That's why you're proroguing, but at the same

time you don't want to have all these bills die on the order paper.

As I indicated before, I'm in favour of that. A lot of hard work has gone into this by the government and by private members. Some of the bills I like, some of the bills I don't like, but at least all that work hasn't gone totally to waste by doing this.

I've got to congratulate you on coming up with this motion today. Normally, this kind of motion is passed in the wee, dark hours of the last day, at a quarter to 12, and some people know what's going on and the others don't; somebody comes up with a motion like this and sometimes some bills are forgotten and aren't included in the mix. At least by doing it now, a week beforehand, we can all be pretty well assured that we're out of here next Thursday, December 13, and we will not be sitting the week after that.

But why not tell the people that? Why all this cloak-and-dagger manoeuvring? It's like saying, "We'd pass this bill, but it's the opposition that won't let us." Everybody down there on the government side and on this side knows that is nonsense. You can pass any bill you want, pretty much at any time, especially in light of the fact that you've moved closure as often as you have.

In the few minutes I've got left, before I turn it over to my colleagues, I want to talk about one particular bill on the—

Mr Caplan: Bill 134.

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Mr Gerretsen: No, I'm going to talk about Bill 5. I've got a great self-interest in that bill because it's a bill I proposed to the House. I make no bones about it; it's self-interest. I want to talk about this bill because the draw number I have for discussing my private member's business—Speaker, I don't know whether you ever saw that list, but I think I was the last person to have my name drawn, or if not the last, almost at the bottom, something like number 75, which probably means it'll never, ever come up unless I make a trade with somebody else.

I will probably never have an opportunity to speak about this bill, so tonight I want to take the opportunity to speak about it. I know this bill has a certain interest with the members of the government as well. Bill 5, which I introduced last year and again one of the first bills introduced just when we came back, is an amendment to the Audit Act. It's not a very sexy bill, not a very glamorous bill, but I think it's a bill that is highly needed. The amendment I'm proposing is very simple, that is, that the Provincial Auditor be given the right and the authority to follow the money.

Our budget is somewhere in the neighbourhood of \$62 billion to \$64 billion nowadays in the province of Ontario. That's what we collect in taxes, in other revenues, in fees and in corporate taxes. It's about \$64 billion. About two thirds of that money, almost \$40 billion if not more, is being transferred to transfer agencies: the hospitals, the universities, the colleges, the school boards

and other agencies. Basically, the auditor currently does not have the right to follow that money.

Maybe some people on my side don't want me to introduce that, because they'd say, "That's a government bill. Let them talk about accountability." But I am a true believer in accountability. As I mentioned before, I don't think that any dollar we put into the system ought to be wasted at any time. The Provincial Auditor is an officer of this assembly who acts on behalf of all of us—not the government and not the opposition. He does all these studies and comes up with reports like this, which the government of the day, and government, may not like because it shows great deficiencies in particular areas. I think the auditor we have in that position should not be limited to being able to audit only what the government itself spends, about a third of the budget, but should have the authority and the right to see how the universities, the colleges, the hospitals and the other transfer agencies spend it.

I can tell you, a lot of these organizations don't want it. I've heard from universities, colleges and hospitals, and they basically say, "Why are you messing around in that? That's none of your business. We know what we're doing." And undoubtedly they do, undoubtedly they know what they're doing. But I still think the Provincial Auditor should have the right to follow the money that we pay out to these various institutions.

A lot of these smaller organizations that get a \$5,000 or a \$10,000 or a \$20,000 grant are saying, "Does that mean the government can come in and audit my books and do all sorts of things?" Maybe yes, but is the auditor likely to do that? Probably not, while there are still many large organizations to audit.

What I find interesting about that—I would love to say this is a unique idea, that I came up with this idea and nobody's ever thought about it before. If I were to say that, I would not be telling the truth, because other people on that side of the House have come up with that idea as well. The member for Niagara Falls introduced it as a private member's bill. As a matter of fact, Mr Eves made a great statement about wanting to do that in his 1996 budget. He wanted to amend the Audit Act so the auditor could go after the money that was paid out to the transfer agencies.

Did it ever happen? No. He wrote letters to the public accounts committee at the time that he wanted that done. Did it happen? No. The government talks a good line about public sector accountability. They even talked about it in the last budget. They were going to pass a Public Sector Accountability Act. What was interesting about that is that they wanted to hold everybody accountable but the provincial government itself wasn't accountable.

If you try to look into the Public Sector Accountability Act from an unbiased viewpoint, it puts all sorts of reporting requirements on other organizations but at no time did it hold the provincial government itself accountable. So nothing happened. The bottom line is that this government, which likes to make people believe

it runs the affairs of government in a businesslike fashion and holds people accountable etc, and loves to tell other people what to do, really isn't putting its mouth where its money is. It really isn't holding itself accountable.

I'm willing to give up this private member's bill. I don't care who gets the credit for it. We're talking about spending a lot of money out there. If you want to take credit for it, fine; if a government member wants to introduce it, then go ahead if you think it has a better chance of passing. Why the heck aren't you passing it? Why the heck aren't you following Mr Eves's lead? He used to be in the leading position in this race that's going on right now, if the newspapers are to be believed.

Interjection: Who's leading now?

Mr Gerretsen: Mr Eves. He seems to have the support of half the caucus over there. But that's totally beside the point. The point simply is, why didn't he pass it earlier? Why does he talk a good line on accountability and then in the long run not produce at all?

Finally, as I'm about to sit down and relinquish the time to the member from Essex, I say to the government, yes, you've got 15 or so government bills on the order paper that you want to save, and it's a good thing that you're saving them. You could have passed a few of these before; I don't know why you didn't. Then you have a whole group of others that have been given first reading and second reading; none of them have been given third reading so far. All I would say to you is that I sincerely hope this may actually be a positive move by the government, that we will carry some of these bills over—some of which we totally and absolutely disagree with. But let's hope that whoever gets elected leader of their party will show a little bit more compassion and understanding of the more vulnerable people in our society.

You know, the people who are doing all right economically don't need government help. I firmly believe that what government is really all about is to try to give people an equal chance in life, as much as possible, whether we're talking about using the health care system, whether we're talking about getting an education. I think this is something that, unfortunately, the group of people who have been running this province over the last five or six years have totally missed the boat on. They love to talk about tax cuts—and who doesn't like a tax cut? I like a tax cut too, but there's more to life than tax cuts. The only way we will ever build a compassionate, understanding society here in Ontario is if we start thinking about all the people, particularly the people who are more vulnerable. I hope that whoever leads this party after March 23 will not only understand that but actually do something about it.

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Mr Bruce Crozier (Essex): It's a pleasure to follow my colleague from Kingston and the Islands. I will speak for a little bit and then you'll hear from my colleague from Don Valley East.

We all know that every year at this time it's rush, rush, rush. But I'm not talking about the Christmas rush. I'm

talking about the rush to get legislation passed in this Legislature. The Ontarians with Disabilities Act, for example, has been recently introduced and is now out for public hearings. But I've been told by some of those who are appearing before the committee that they are afraid the government just wants to ram it through along with as many other bills as they can before the end of this session. In fact I was told, and I truly hope this is not true, that the Ontarians with disabilities committees that are appearing before the committee reviewing the bill have been told that if it isn't passed before Christmas, they may not get that bill at all. I hope that's not the case.

Not surprisingly, though, the Ontarians with Disabilities Act is not the only one that's being hastened through its passage. What is surprising is that there are a number of pieces of government legislation that are being rushed. Bills that the government touted as being imperative—absolutely imperative—during the hype and fanfare of their introduction are still awaiting third reading, and in some case even second reading; for example, the Nutrient Management Act, the Waste Diversion Act, the Municipal Act, the Community Care Access Corporations Act. They were all publicized as necessary—absolutely necessary—pieces of legislation. As of today, these bills, among others, are still awaiting debate and passage. It goes without saying, I think—but I'll say it anyway—that each of these bills will be passed and voted on because, as my colleague from Kingston and the Islands says, this government, with its majority, controls the legislation that comes before this House, that's debated before this House and that's passed by this House.

For example, the government's Limitations Act, 2001, was introduced back in April to amend the current Limitations Act and still hasn't moved beyond first reading. If this were a two-car parade, I'm afraid the government couldn't organize it, because they can't organize their time. The nutrient management and food safety acts have been awaiting second reading since the middle of June. The food safety act finally received third reading today. I think you get the idea. It's as if, after all the pomp and circumstance of a bill's introduction, the government simply turns its back, moving on to the next publicity campaign and so on. Sometimes it's almost as if passage has become some sort of afterthought.

If the bills on the order paper, the important bills, are not passed before we break for Christmas, the House isn't scheduled to return till about March 18. In fact, it was told to us by a government member tonight—and I don't know whether he let it slip or not—that we would not be coming back until about five weeks after the leadership campaign. That puts us into the month of May. So we're talking about almost five long months of inaction on these supposedly critical pieces of legislation. And that's only if the government doesn't make a mess of affairs the way it did last year when it prorogued the Legislature and lost all its legislation. Frankly, I think we're debating this tonight because there is a concern on their part that they are going to lose this legislation.

There's only one reason for all this, in my view, and it's mismanagement. The government just hasn't figured out how to budget its time. For most of each session, members are in the Legislature in the evening, and this week and next we'll be around until midnight. We have what are scheduled to be five sessional days left, and there are 23 government bills to be dealt with. Many of the bills we debate of course have been and will be time-allocated, if they want to get some of this legislation through.

Speaker, you and I know that time allocation is just a fancy word for choking off debate. It was mentioned earlier by the member for Kingston and the Islands that during the terms of this government, democracy has been limited in this Legislature to a great extent. Now, after a bill has been debated for three sessional days, they can bring in time allocation. After a bill has been debated nine hours, I think, the time that members have goes from 20 minutes to 10 minutes. It's a frustrating process, quite frankly, to be on this side of the House and be faced with those kinds of barriers.

Had the government only planned ahead, it would not be desperately ramming legislation through at the end of the session. In fact, had it planned ahead, we wouldn't even be spending what might be five hours tonight debating this resolution. We could be debating some very important—in the view of the government—legislation. I'm certainly not saying I agree with all of the government's legislation, but I do believe a government should do what it says it's going to do.

It shouldn't have its members, let alone the members of the opposition, scrambling in the last days to pass legislation when it very easily could have been done a lot earlier and given everyone ample opportunity to debate the issues. This is really a process that's limiting our time and frustrating everybody in the House, because I'm sure there are government members who would like to get up and speak on their own legislation. It should be the government members who want to get up and tell us why that legislation should be passed. It's unfair to your members, it's unfair to the opposition and it's mostly unfair to our constituents, the people of Ontario, because they don't get an opportunity to hear the legislation debated to its fullest.

I don't believe that a government that can't properly manage its time is able to manage health care, education, the environment or any of the other laws it's elected to oversee. If the government's incapable of handling simple things like the timetable in the Legislature, how can it be trusted to handle anything else? As I said earlier, I compare it to a two-car parade. I really don't know whether this government would be able to manage that.

I agree with the principle of this motion, because with the time, effort and money that have been put into bringing legislation before this House, with in some cases public hearings having been held, it should stay on the order paper and shouldn't be lost just because we pro-
roque. The problem, in bringing in this motion, is that the

government has also said, at least to this point, that no committees will sit, so these important pieces of legislation that have already received second reading can't go out for public debate.

In other words, quite frankly, folks at home, there isn't anything that's going to happen in this Legislature or with this government, possibly for the next four to five months, except the leadership campaign. That's why I think this resolution is short in its objective. It should also have included the ability of standing committees to meet, to discuss the legislation if it's had second reading, and to go out for public hearings.

There is one exception to that, and I'm pleased to say it's the committee I'm Vice-Chair of, the public accounts committee. We will be meeting during the intercession for two or three weeks, and that's good because we're going to be discussing the recent report of the Provincial Auditor.

As an example of how democracy, and I use that word loosely, is handled around here, and the fact that there can't be any committee meetings in the next three or four months with the exception of public accounts, I'm going to be meeting, along with others—I think government members and third party members—a delegation from Ethiopia on Monday. They're coming here to see how our government works. They're coming here to see how our committee system works and how our committees can be transparent, how they can be effective.

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Now what do you think I'm going to have to tell them on Monday? That our committees, with the exception of one, aren't going to meet for the next four months, and that there is government legislation—23 bills on the docket—that we're going to do absolutely nothing with for the next four months. How can those delegates from Ethiopia think we have an effective, transparent, responsible, accountable government if we tell them that starting a week from today we're not even going to be here, that we're not even going to be doing anything for the next four or five months? I'm going to have some difficulty in explaining to them that our system may be better than some others they're looking into.

I want to re-emphasize something my colleague from Kingston and the Islands said: we're in this mess because the government put us in this mess. The House leader of the government knows what the agenda is that they want to carry out. The House leader of the government knows how often we meet, how long we'll have to debate, what days we'll sit and what days we won't sit. All they have to do is sit down and plan how they're going to carry out their agenda. But no, we're going to be left with 23 bills or thereabouts—as I said, we do have five more sitting days—somewhere in the neighbourhood of 20 bills on the order paper.

What we've offered to do—I'm ready to do it and I'm sure my colleagues on this side of the House are—is to sit up to December 20. We can go another week. In fact what we can do, if this government chooses, is come back in January. Notwithstanding the leadership race, we

can continue on with government business and discuss the bills Mike Harris and others want to discuss. But for whatever reason, they're simply going to walk away from it, with this safeguard in place that after the leadership campaign, if they choose to come back—goodness knows what we're going to do. The member for Northumberland let it slip out tonight that it would be five weeks after the leadership that we would be coming back. He let it slip tonight that we're actually going to prorogue. I don't know when we're going to get the opportunity to—

Mr Galt: Read what the motion says.

Mr Crozier: The motion doesn't say we're going to prorogue; it says if we prorogue. You'd better check Hansard. You left more of the impression that we are going to prorogue.

In any event, what it's going to leave us with is an inactive government for four or five months. I would hope we do come back at some point and discuss these important bills, because if we don't, you know what has to happen, folks: they all get wiped off the paper; they all have to be reintroduced; we have to go through second reading on those we already have; we have to go through public hearings again, because goodness knows the legislation may change, as the new leader may want to change it.

There's going to be a lot of time and effort wasted, and yes, there's going to be a lot of money wasted. When I was here during debate last night, there was some concern on behalf of government members that money was being wasted while the bells were ringing on some of the motions that went through the House last night. This government will have wasted a lot of money if, even after proroguing and carrying these bills over on the order paper, we don't come back and deal with them.

Just to give you an idea, Speaker, I know you know but to give those at home some idea of what there is left to do in five days, because the government has told us how important this legislation is, there are 23 government bills. Bill 30 is the Remedies for Organized Crime—for goodness' sakes, this is the government that wants to fight crime. They've got a bill sitting at the third reading stage and it's only received two days of third reading debate. Bill 60, the Victim Empowerment Act, for victims of crime, is only at the second reading stage and has received three days of second reading debate. It still has to, hopefully, go through committee hearings, public hearings and third reading debate.

Bill 69, the Prohibiting Profiting from Recounting Crimes Act: it's at third reading stage and has received no third reading debate. These are important crime bills to this government, and they've left them sitting on the order paper till the last minute and in all likelihood won't even be dealt with.

Bill 81, the Nutrient Management Act that my friend from Northumberland is so interested in, is at second reading stage. It was sent to the justice and social policy committee after first reading so they could deal with it quickly, but the committee hasn't reported back to the

House and it's received no debate. Well, it must be an important bill if your government is treating it that way.

Mr Galt: Which bill?

Mr Crozier: Bill 81, the Nutrient Management Act, second reading.

Mr Galt: We debated that last night on second reading.

Mr Crozier: Well, then, thank you. So it's still in debate at second reading. I think that's what I said. It's at the second reading stage.

Bill 86, the Rescuing Children from Sexual Exploitation Act: it's at second reading stage. The justice and social policy committee has not considered it or reported it back to the House.

Talk about crime. It's a crime that they haven't debated and dealt with these bills long, long before now.

Bill 90, the Waste Diversion Act, is only at the second reading stage. It was sent to the general government committee after first reading. The committee has not reported back to the House. I think it did receive some second reading debate the other night.

The Student Protection Act: an important bill when it was brought forward to us. It's at third reading stage. It's only received a day and a half.

The vital statistics amendment act: I think that may have been dealt with as early as this afternoon.

The Municipal Act is only at the second reading stage. It is time-allocated and there will be 90 minutes of third reading debate when it's brought forward.

I spoke earlier of the Ontarians with Disabilities Act. That's out to committee now, and it's under threat that if it doesn't get passed before Christmas, they'll get nothing. Quite frankly, the bill doesn't do an awful lot anyway. There are no timelines to it. The only penalties in it are for parking in a handicapped space; that's good, but it's a \$5,000 maximum and I really wonder whoever is going to get ticketed and charged \$5,000.

So there you have it. There are 23 important government bills, five days of debate left, and then nothing is going to happen for four or five months. This is a government that just isn't able to manage its time.

Mr Alvin Curling (Scarborough-Rouge River): I just want to say that this opportunity for me to speak tonight on this issue is something I didn't look forward to, but it's quite necessary. You see, I have summarized this government in the last couple of weeks and I think I have come to a conclusion of what it's all about. I think this government has demonstrated that they do not wish to govern any more. The psychological profile of this government is that they are tired, they are leaderless, they've run out of ideas. They just don't know where they are.

The people of the province gave their confidence to folks as a government, that they would lead us forward and understand their issues and make sure their concerns are addressed. But they've found a very bland approach by this government. They have directed their thoughts really only to Bay Street and forgotten about Main Street or the community itself. They have run out of ideas.

It's a government of destruction. The writing was on the wall from the beginning. When they came in they said they had the Common Sense Revolution, and the emphasis was on "revolution," a war mentality. What they did was easy. They found out how easy it is to destroy things. They talked about the grand old ideas of building, but when the time came to build, they had no ideas whatsoever. They were going nowhere. They attacked the poor, they attacked the disabled, they attacked anything that looked like democracy.

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On one of the bills they brought in earlier, they did not even listen to the people when they tried to amalgamate the city and force this marriage, this forced marriage that said we must all get together and be one big, happy family, but with no ideas at all. When the people of greater Toronto said to them, "No, we don't want that. Let's have a referendum," they proceeded and rammed this thing through. You remember Bill 26, Mr Speaker. You recall it very well. It was a huge omnibus bill, giving the people's representatives no time at all to read, and they rammed it through the Legislature, hurrying the process of wrecking this province. Everyone thought it was a great idea to tear everything down. In this great anticipation, we said, "There must be something behind all this destruction. There must be some creative ideas of building. There must be something better coming."

Today, we look at the faces of the Progressive Conservative Party of Ontario. They have no leader. They're confused and they are just rudderless, going nowhere. Even in question period, people should know, we can't even find who is the acting Premier of the day. There is no leader.

So now they want to shut this place down without doing any work. They say, "Let us shut this down so we can get our focus together again." Well, let me tell you, nothing has come from this tired group. This group that has run out of ideas is going nowhere. What has this done to this great province, the richest province in this country? If it was a country, it would be one of the richest countries in the world. Yet we have no leader.

We're here to work. I'm here to represent the concerns of the people of my constituency. I can't recall how often I've spoken in this House in the last six or seven months, or even the last year. I've been restricted to very short durations to express the concerns of my constituency of Scarborough-Rouge River. Scarborough-Rouge River has concerns about affordable housing which we want addressed, but this government has no answer to that. As a matter of fact, there is no Ministry of Housing any more, just in name. I wanted to address concerns about the disabled, concerns about the environment. But the time we are allowed here to discuss these issues is quite limited, because closures are the order of the day.

In committees, we know exactly how all the Conservative members are going to vote: according to the directions of their leader or their whip or the House leader telling them what to do. There are no creative ideas. But when they were destroying, it was easy. They

brought sledgehammers around. They attacked the poor in every fashion and called them all sorts of names. They attacked the teachers in the classrooms. They attacked the nurses. They attacked the hospitals. We can go on endlessly in what they have done to this province. They have destroyed the morale of the people. They felt the people would be whipped into shape, with no reaction.

But then they beat up on themselves. When they looked around, they had no leader. The Premier himself got so frustrated and tired, he threw his hands in the air in the middle of it all and said, "I quit." They were in complete confusion over there. They were saying, "I can't believe this." They were leading along with this individual with a sledgehammer, hitting and beating up people all over the place, and they said, "Now we have no leader." So what are they going to do? "Let's shut this place down to see if we can find someone who can lead us."

Guess what I've started hearing, Mr Speaker and the people out there who are listening? They say, "We have to be more compassionate. We have to be more caring. We've got to make sure now we include consultation," when there was none inside here. The people are saying, "Is this the same government, are these the same people, who had no concern about affordable housing?" My colleague from Don Valley East almost daily attacks the government on the issues of housing. Nothing was coming forth. He put forward proposals, he put forward a private member's bill. Nothing was coming forward. But you know what? Maybe we were trying to squeeze water out of a stone, the stone heart of this Conservative government that had no compassion.

All of a sudden, they found themselves without a leader, without an agenda, without anywhere to go and nothing else to destroy, and they said, "Let us stop now, because our leader has thrown his hands in the air." Their leader, their Mike Harris, has thrown his hands in the air and left them running all over the place. So now we are going to stop the House and find we have, in the midst of it all, 23 government bills to be debated in five working days.

What are we going to do? Are those adequate days? No, that's not adequate. I may even disagree with my colleague from Kingston and the Islands. My feeling is that we had the time to do it but we're shutting this place down because they lack leadership and ideas. They're tired and frustrated and getting nowhere because they're out of any kind of thought or structure. There is nothing else to kill, nothing else to destroy.

I spoke with the principals today in my office and they were expressing to me some of their concerns about the lack of consultation. They were expressing to me the shortage of teachers coming into the classroom because no one wants to come forward to be a principal any more. They can't understand the rush and the push of this government. While they accept that changes must happen, they have no direction from this government, just a matter of change for change's sake.

Therefore, today, as we speak on the eve of the conclusion of this Parliament time, when we have about five more days and 23 government bills to be debated, they want to get out of here to get their heads together. But they also have to get their hearts together, because the people find them rather heartless in the way they have treated the most vulnerable in our society.

That was the mandate the people of Ontario gave this government, to make sure that those in need are looked after, that when they collect the revenues from the people of this province they make sure there are affordable houses, that there are hospitals to which one can go and be cared for, that our seniors are looked after without being rushed around with nowhere to go, that our schools are places where people can be taught and teachers are not frustrated and bullied. The people gave them that mandate, and what have they done? They have destroyed that.

Even their leader himself found himself against this cul-de-sac and said, "There is no other place to go." He has no energy to even hit his head against the wall. What he's going to do is say, "You take it over now." They're going to scramble around—I think there are five wannabes who'd like to carry this government and this party forward.

But there is nowhere else to go. Democracy and the people are much greater than any individual we have in here or any ideology we have, and they have seen through this government which does not want to govern. As a matter of fact, they have plainly told you that. Premier Mike Harris has stated that he's not here to be government anyhow. What he was doing was palming off most of his responsibilities, abdicating his responsibilities elsewhere: download it on to the municipalities, blame the federal government for anything they should be doing and saying, "It's not our responsibility." All of a sudden, where is that mandate the people have given this government? That mandate has been wasted, wasted by a lot of egotistical individuals here who are just trying to feather their own caps and look important. They've forgotten the most important part of the mandate, that the individuals in our province want us to carry forward and advocate for their responsibilities and some of the needs.

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Go to the hospitals. I get concerns coming into my constituency office each day, telling me about the crowdedness of the emergency rooms or that they can't find a doctor to see them or get an examination for maybe five or six months. People are waiting for affordable housing, a seven- or eight-year wait.

What has happened is that this government has lost its direction completely. It's nice to talk the talk, or even to talk the walk, but they have not walked that talk. When they realized they had to walk that talk, they said to themselves, "Let's get out of this place and find ourselves a leader. Let's prorogue. If we can get through these 23 government bills in a couple of days, good; then we can pass it over for the next time we are able to debate that." But that time will be five months down the

road, while this place will continue to be rudderless, leaderless. You know, maybe the people won't see any difference whether or not there is a Parliament sitting or a Premier in place for four or five months. They may not see a difference, because there's no leadership over on that side, none whatsoever.

I know some of my colleagues over there on the Conservative side would like to express the views I'm expressing, but they're not able to do so. They've been whipped into shape to follow the rules. It's a shame, a shame that we have such a great province and, at a time when we need leadership, there is none, that where Parliament could be effective, it is not so. That concerns me, because I know, as I go to the schools each Friday and talk to the young people, they're hoping there is some sort of structure there for them to fall in line with. I'm telling them that if this government continues the way they are, there's not very much hope in that respect—as a matter of fact, a greater challenge for them to develop a caring and compassionate society, a society where we could get a proper education and look after our elders.

But as always, I'm a person of hope. As I speak today and realize that for the next six months or so there won't be much leadership over there, I know that Dalton McGuinty and the Liberals daily put forward plans and structures and directions showing leadership on where we should go. I know that with that kind of direction, people are hoping that democracy will take its place, because within a few months thereafter, when they do find themselves a leader through their process, an election will be around the corner. People will have a choice to go back to the kind of province we all wish for, a society we want to live in, a society in which we want to be educated, a society that will care for those who are disillusioned, disabled or discouraged, to know that a compassionate government will look after them, and they themselves will be able to move on to contribute to society.

It's a sad day to know that here we are, willing souls, representatives to debate and carry on the issues of this province, but the government of the day has seen fit to throw in the towel and go and hide, huddle somewhere else, hoping they can find some sort of leader among themselves. But let me tell the people of Ontario, a Tory is a Tory is a Tory. No matter what they look like or talk like, the compassion will not come from that government, because they have one ideology, to reward their rich friends.

Mr Bisson: I am pleased to participate in this debate on the motion before us, a substantive motion that basically deals with the government process by which they're going to prorogue this House. So that people who are watching understand, it's 9 o'clock at night on Wednesday, and we're live from Queen's Park. I'm Gilles Bisson, MPP for Timmins-James Bay, a member of the New Democratic Party. I figured, what the heck, eh? May as well start that way.

I want to first of all explain what the process is. The government, as we know, is in the middle of a leadership race. We understand that. Mr Mike Harris has resigned, will be leaving politics, I imagine, shortly after, and they need to select a new leader. The problem the Tories have is that once they've got a new leader, that person becomes the Premier, and that person, he or she, is going to want to do a throne speech. We understand that—no argument. We understand the process. I'm not going to politicize that whatsoever.

Mr Caplan: Are you sharing your time?

Mr Bisson: I should say upfront that I am sharing my time with the member for Nickel Belt. Thank you for reminding me of that.

But the government has a bit of a problem in this process. If the government wants to come back after the leadership race, the new leader is going to want to give a throne speech, because the new leader, he or she, is going to have to set out the direction that the new government takes. We understand that. Ideologically, I don't agree with most of what the Tories have done, but I understand the process and understand, quite frankly, why this has to be done. So what the government has today before us is a substantive motion that says all the bills that are before the House on December 12, if we rise on that day, will basically carry over; private members' bills, private bills and government bills will carry over to the new session, and that will become the third session of the 37th Parliament.

For that, I guess we can count ourselves somewhat lucky, because a number of private members have bills. For instance, the member from Ottawa West, for whom I have great regard as a member, has a private bill, and he's going to want to bring that bill over to the next Parliament in order to advocate and advance that particular bill. Liberal members from over here have four bills—three bills; I thought for a moment you were missing a finger. Mr Levac has bills he wants to be able to do the same with. So I guess to an extent we can count ourselves lucky, because the government could have said, "That's it. All bills are dead after the session. If you've got a bill in the hopper, too bad, so sad, it's gone."

So I say to the government, it's not a bad way of dealing with it. I'm going to give you some credit. I'm one who believes that when you're wrong, I should tell you you're wrong and I will fight to the nth degree, but when you've done something right, I believe it's incumbent upon members of the opposition to say the government has done something right. On this one I can agree. All right? That's the end of that.

Interjection.

Mr Bisson: No, no. It's because now I don't want to take any of my time talking about what the government's doing wrong. If people watch this Legislature and know me, there are many things, about 80% of what you've done, that I don't agree with, but I don't want to spend the time I have for this debate focusing on what you've done wrong.

Rather, I want to talk about what I think should be in the throne speech when the government does come back in probably March, or more likely April or May, of the year 2002. I want to talk about what I think this Parliament, the third session of the 37th Parliament, should deal with. If I were the Premier, here are some of the things that I think we should do.

First of all, there's an overarching theme to what I want to talk about. I really believe, as a northern Ontario member—and I think there's a whole bunch of rural members and members from eastern Ontario and western Ontario who feel the same way. There is a move to depopulate rural and northern Ontario. We are depleting rural Ontario to a large degree. This is not just the fault of the Harris government, and I don't want to spend any time saying it's their fault. But the issue is that we see communities across Ontario, except for the larger communities like Toronto, the GTA, Ottawa, where everybody is moving away from the smaller communities in rural and northern Ontario and into the larger communities. The reasons for that are many: employment, corporate policies. Corporate Canada is making decisions to centralize much of their activities, and many of the good jobs, the high-paying jobs and the jobs that have career paths are in the big cities.

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I'll give you just one little example. It's not a big one, but it's one that really bugs me: MCTV in our part of the province, northern Ontario. CTV has decided that they're going to collapse all the newsrooms in North Bay, Sudbury, Sault Ste Marie and Timmins and put them all in Sudbury. What they're doing, in effect, is taking all those good-paying jobs we had in our communities in Sault Ste Marie, Timmins and North Bay and centralizing them in Sudbury for now. We're losing all the managerial jobs that were associated with that. I imagine my good friend Len Gillis, who was the news director, will be gone in fairly short order. A whole bunch of people who worked in the newsroom as editors, writers and journalists are going to be losing their jobs.

What we're doing is moving those people out of the communities I mentioned—Sault Ste Marie, Timmins and North Bay—and moving them into Sudbury. It's a form of depopulation, as I see it, of the outlying areas in northern Ontario. I don't think it's going to stop there. I think CTV at one point is going to shut down the Sudbury newsroom and they're going to say, "Oh, by the way, we're going to produce somewhere. It might be Toronto, it might be Vancouver, it might be Montreal, but we're going to serve northern Ontario well by having newsrooms in some large centre somewhere outside northern Ontario."

What you've got is corporate Canada and corporate North America and the corporate world saying, "For reasons of efficiency, we have to move all those things into a larger entity." When they say that, they normally end up in larger communities in Ontario, when we're talking about the Ontario economy. I say that's a huge

mistake, because we're taking away the vitality that makes Ontario Ontario.

A lot of people over the years have lived in the city of Timmins. It provided many good-paying jobs. The communities of Hearst, Kapuskasing, Smooth Rock Falls, Mattice, Opasatika, Moose Factory, a number of them, have provided good jobs to citizens in those communities, with a great style of life. What we've done by way of policies is move people out of northern and rural Ontario and force our kids to make the decision to live in southern Ontario in places like Toronto.

I would like to see in a throne speech policies that speak to that, a policy that says, "We will put in place economic development tools for those communities to be able to help themselves develop their economies in such a way that we give opportunities to the young entrepreneurs in our communities and others who would, by way of their sheer will and genius, develop business opportunities in our communities." Why? Because if somebody opens up a business in, let's say, the town of Kapuskasing and says, "I'm going to open some sort of fabrication shop," or "I'm going to open up some sort of electronic shop," or whatever it might be, you'll have to have an accountant somewhere in the community who is doing the books for that company. You'll possibly have to have salespeople, if it's on the retail side. You'll have to have technical people, if it's on the technical side. You'll have to have a number of people working in that business in order to make it operate so that the business owner—he or she or the group of them—is able to go out and participate in the business activity they've chosen. I think that's good.

The problem we have is that there are no programs provincially, or near none federally, to really make a mark when it comes to rural economic development and northern economic development. If Gilles Bisson was the Premier of Ontario, as a New Democrat, I would do a couple of things in a throne speech that I think would really send a good message and give those communities tools. One of them is to develop loan guarantee programs. We need to seriously think about the issue of capital. One of the problems we have is that it's becoming increasingly difficult for entrepreneurs to get money from the banks, for all kinds of reasons, about which we can talk at length here. But I think we can all agree—Conservatives, New Democrats and Liberals—it is becoming increasingly difficult for entrepreneurs to leverage money from a bank. I see Mr Wood shaking his head, but let me tell you, come to my community and I'll show you a number of projects that are having huge problems trying to get money. I've got a mushroom plant up in Opasatika, I've got a cedar shingle mill in Mattice and a number of other projects around the community that can't capitalize themselves. There's a huge problem. I would make some changes.

I know the Tories don't agree with me, because their laissez-faire economic style of doing things is, "Leave it to the private sector. Government shouldn't be involved because, after all, if the private sector can't make it work

on its own," so the Tories say, "it shouldn't happen." The problem with that is the big banks and others who lend money, the institutions, by and large, are concentrated in the larger centres in Ontario, and it's not as easy for entrepreneurs in smaller communities in rural and northern Ontario to access that capital. Sure, we have branches in communities like Timmins, but I'll just give you an example: much of the institutional lending that's done in the community of Kapuskasing now is being conducted out of Timmins. I don't think that's a good thing to do. I think you have to have local people in a community who understand the community, know the players, understand the local economy and are able to make some decisions based not only on a business case but also on what is the reality in that community.

So one of things I would put in the throne speech if Gilles Bisson was the Premier—or, more specifically, if Howard Hampton was the Premier, because he's the next guy, right?—would be a risk equity program. I would do two loan-type programs. One of them would be a business start-up program that says that if you go to a bank or a caisse populaire or a credit union and you don't quite have enough money to make the bank comfortable when it comes to lending you money, the province would guarantee part of the loan.

Traditionally—and Mr Wood will probably acknowledge this by a nod one way or the other—10% to 20% is what a bank is looking for when you're trying to start up a business. You have to prove you've got a good business case, you've got to prove you have the ability to manage the business, to convince the bankers and make them comfortable, and you've got to come up with 10% to 20% equity, generally; sometimes more, but it depends. It depends on the project, obviously. We could get into the whole under-a-million, over-a-million thing, but basically you've got to come up with a certain amount of equity.

I propose that first of all we shouldn't guarantee loans to start-up businesses where all the money being put up as a guarantee is by the government. I wouldn't argue that for two seconds. I believe the local entrepreneur has to show a serious commitment to the project by putting forward a certain amount of equity themselves. So let's say, just to use a number—and Mr Wood was saying it's higher—that if the banks are looking for 30% and all the individual can come up with is 10%, get the provincial government in areas where the economy is lagging and needs to have a bit of a boost—and that's the rule in northern Ontario, believe me—and come in with a loan guarantee program that says the individual has to at least match 10% or 15% equity in the business, and the province will bring in the other 10% or 15%. I wouldn't want to get the province on the hook for the whole thing, but by giving the bank a little bit more comfort you're able to get them on side.

When my good friend Shelley Martel was the Minister of Northern Development and Mines and the chair of the heritage board, we did all kinds of projects like that, which paid huge dividends to our communities. Some projects that were started up were failures. I will not say

all programs that were done on the part of the heritage fund were successes, but neither are all the programs the banks finance, right? Let's admit it: I don't have the numbers in front of me, but I think that for every 10 businesses that start, after two years only seven of them survive. There's a huge amount of failure over a period of two or five years; I forget exactly what the numbers are. Anyway, I'll defer to Mr Wood, but I think he knows what I'm getting at.

That is also true when it comes to projects that went through the heritage fund. In fact, we had a higher success rate than the banks themselves. I think the reasons were that there was good scrutiny done on the part of the heritage fund and there was a real commitment on the part of the individuals to make the projects work. I think they were really cognizant that the heritage fund and the minister of the day, Shelley Martel, and our government were giving them a break and they didn't want to let us down. I think most people are honest and are willing to give it a shot. So one of the things I'd like to see in a throne speech is basically a loan guarantee type of program to assist new start-ups to get off the ground.

The other side of what we have to do is risk equity programs. I was talking, for example, to an individual not too long ago, about a month ago. The person has been in business for the better part of 10 or 12 years. The person is in the delivery business and has a good revenue stream coming into the business and very good contracts. He did a very good job of managing the business for 12 years. It's a family-run business; a very few employees and the family are running it. Unfortunately, what happened was that he had a huge amount of vehicle breakdowns all within a short period of time—he had older vehicles. It got to the point where he was throwing so much money at repairing his older vehicles that he had to replace them.

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So he went to the bank and said, "Listen, I need from the bank about"—I think the numbers were something like \$35,000, in order to replace two of the vehicles that he needed to replace. The bank couldn't touch him even though the bank wanted to because the amount of equity that he had to guarantee the loan was nowhere sufficient to make that loan happen. The bank manager tried everything to get that loan through. The bank, which will remain nameless, basically said, "No, the risk is too high for the bank. We wouldn't be sufficiently secured."

The loans manager, who happened to be the manager of the bank, called me and said, "We need some kind of program to assist this individual, because here's a person who I know has a commitment to running a business, knows how to run a business. He's got the contracts. I know he's going to be all right. It's a question of me refinancing him to a certain extent, but I can't do it because the amount of equity that he has doesn't match." So one of the things that he asked for was a risk-equity type program that basically says the government would come in and guarantee 10% or 15%, again, in order to be able to assist with that particular loan.

There are a number of things that we need to do on the side of loan guarantees in order to assist new businesses on start-up and existing businesses that are having difficulty and need to restructure.

The other thing that I would do and that I would put in the throne speech—and I know my leader, Howard Hampton, is excited about this particular initiative; I've talked to him about it a couple of times, and we in the caucus have certainly discussed this—is the whole issue of mentoring programs. In fact, we were talking about that just two weeks ago. That is the whole issue of how many people go into business, have a great idea, have all the will, want to get things going, but don't have the kind of experience they need to make the sound business decisions that they'll need to make along the way. One of things we are suggesting is that there are all kinds of people who have been in business for years, who have the experience of running a business and would like to transfer some of that knowledge back to the business community. We could make partnerships through chambers of commerce or whatever way you would do it in order to provide for these retiring or retired business people who want to go back and transfer their skills back into the younger business community, the ability that they have in running a business.

John Doe wants to start up a restaurant in the community of Mattice, knows how to make really great food, knows how to give really great service, but is not very good with the books. So you match that individual up with somebody else who knows and has a track record of running a business. That person becomes a mentor for the new business person so that they are able to learn from the years of experience that the mentor has, who can transfer those skills and that knowledge back to them.

Those are a couple of things that I would put in the throne speech and that we as New Democrats would call on the government to put in the throne speech that would assist businesses in getting off the ground and assist them once they are there.

The other thing I would just say shortly on the business stuff, and I know we do this to an extent, but not enough by far: I would really start a major initiative in order to try to organize our exports in the province of Ontario so that we don't put all our eggs in the United States basket. Our problem now is that we're beholden to the American market. Yes, we're lucky on the one side to be blessed in having a huge trading partner to the south called the United States, but it's also a bit of a curse because when the economy of the United States goes down, we basically go with it. One of the things that I think we need to do, and I know our leader, Howard Hampton, and others are excited about this, is to look at the issue of ways of diversifying the Ontario economy when it comes to exports. Presently over 90% of what we produce by way of GDP in this province—or goods, I should say—is exported to the United States. We need to look at the Asian market, we need to look at the European market, in order to be able to cushion the effects of recessions that happen in various parts of the

world. It's not going to happen overnight, but it's got to start somewhere, and this party, the New Democratic Party, is the party of ideas, proposing new ideas in a new millennium.

I would also say we have to bring some fairness to workers. That's the other thing that I want to talk about very quickly. My leader, Howard Hampton, has gotten up I don't know how many times and called on this government to increase the minimum wage. It is a scandal that in this province in the year 2001, the minimum wage is lower than it is in most of the United States. It really is a scandal. We haven't raised the minimum wage in almost, what, eight years now?

Ms Shelley Martel (Nickel Belt): Six or seven.

Mr Bisson: Six or seven years. The last time that the minimum wage was raised was by way of the NDP government. We had a policy that every year we increased the minimum wage by a certain amount in order to be able to keep up with the cost of living, because those workers need money just as much as anybody else and they are the most vulnerable in our economy. Who are they? They are the young; they are women, by and large; they are the immigrant population. They are people, by and large, who are the most vulnerable in our society. They need to have some protection and they have to have somebody speaking for them.

I want to say today categorically that in the throne speech, if Howard Hampton was the Premier come this spring, we would raise the minimum wage automatically to \$7.25, I believe it is, in the first year, and then put in place a mechanism in order to increase the minimum wage. We believe it's important for workers to have fairness. It should not just be a one-way street where the corporate world gets everything and the workers get nothing. That is one of the things that we are committed to, and we would dearly love to see the government put in its throne speech an increase on the minimum wage.

The other thing that our leader, Howard Hampton, has spoken about within the caucus, and we'll be talking about this some more, is the whole issue of pension reform. There are many people in this province, including the members of this assembly, by the way, who don't have pensions. I think that's a bloody crime, and I'm going to say a bloody crime because it is. I don't believe that we as members should have a special deal over everybody else, but I think that we should have a pension of some type for those of us who are in this business for 10, 15, 20 years. We're in a position where, once we get out of here, there's not going to be any kind of pension income for us when we retire, and that's a real problem. It's going to become, at one point, difficult to attract members to the House.

But we've got to go beyond that. We can't have special deals for MPPs and not one for the citizens out in the province of Ontario. I say, Howard Hampton says and the New Democrats say there needs to be pension reform.

There are a couple of principles, things that I think we need to do. We need to go back to 1962 and look at what the pension commission did. I forget the royal commis-

sion, but the royal commission that looked at the issue of pensions had a decision to make. What they recommended to the government of the day, the Tories, was that there should be legislated a minimum pension so that every employer in the province of Ontario of a certain size—15 and up, let's say—is mandated by legislation to provide a minimum pension to the workers who work for them. It should be a defined-benefit program, not a deferred-income program. The defined benefit, just so people know, is a type of pension that when you retire, you know you're going to get a cheque every month. When we call it deferred income, it's an RRSP-type program. We New Democrats believe it should be a defined-benefit program.

So I would propose, along with my leader, Howard Hampton, and our finance critic, David Christopherson, that what we need to do is have pension reform. We have to say a number of things. The first thing we have to say is that by way of legislation, we would mandate a minimum level of mandatory pensions as a defined-benefit program for all employees in the province of Ontario for certain classes of employer. I'll talk about exempted classes of employer later, but basically everything 15 and up would be under this mandated program. You would set a minimum benefit, and the idea is very simple. If I work for an employer that has a benefit package that includes a pension that is higher than what the province mandates in its legislation, you are exempt. You don't have to provide anything else, because you are already providing the minimum. But if you're an employer who doesn't meet the minimum, you would then have to meet it. You would be given some time by way of a transition, but you would have to set up a pension committee and you would have to go out and find a pension that basically buys the benefit that is defined in the legislation as a minimum standard.

The pension itself must be a defined-benefit program. It must provide after 30 or 35 years of employment X amount of dollars per month for all employees. We can't gamble with the retirement income of individuals, and that's the problem I've got with RRSPs. I think RRSPs are not a bad thing, but I know all kinds of examples where people have been given the opportunity in some cases to take money out of their RRSPs, if they're not locked in, and have blown their retirement income. I was just talking to somebody on the weekend, and I don't want to say what type of business it was because some people in my community might understand who I'm talking about, but a person who started up the business, took \$60,000 out of their RRSP account, secured their business, ran it for a number of years, and is now getting out of the business with some debt and has no retirement income whatsoever. So I believe we don't want to go the way of RRSPs by way of deferred income. We need to put in place a defined-benefit program that meets a certain minimum level. All employers would have to meet it.

If you are an employer that's small enough and you can't create your own pension plan, we then have to

amend the legislation and allow for MEPs, what are called multiple employer plans, so that if I'm an employer and there's an employer across the street that has a similar type of pension, you're able to buy into that particular pension plan so that there are multiple employer plans in place.

The other thing I would say is that there has to be automatic vesting. It is crazy in this province that we have workers who are basically by way of their careers working for upwards of 10 employers in a 30-year work cycle and have no pension because they haven't worked anywhere long enough to build one.

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I've got good friends who work six months in one place, one month in another, some of them unionized, some of them not unionized, and they have no pension plan because they haven't been with an employer with a pension plan long enough to be vested in it. New Democrats would say it's automatic vesting, that the minute you're employed by that employer you're automatically vested and it becomes a totally portable pension system. You have a totally portable system that says no matter where you work in the province of Ontario, you will carry your pension with you. There will be a minimum defined benefit in the legislation; it will be a defined benefit program and you will be automatically vested.

The other thing I would do in the pension legislation is deal with the issue of what you do with surpluses. There are far too many examples out there from the bad old days, before the NDP amended legislation by way of regulation to prevent this from happening. I would stop the practice of withdrawing surpluses out of pensions. There are a number of pensions across the province of Ontario, across Canada, that have built up huge surpluses. The money is being taken out by the employers and being basically squandered rather than trying to build up the benefit of individual employees.

First of all, we have to understand that there are reasons you've got to take surpluses out of pensions. We've got to say that up front. What you need to do when you make the amendment to the pension legislation is say there's only two ways to take the money out of the pension plan if there's a surplus. Now, what's the reason you'd want to take money out of a surplus?

Mr Peter Kormos (Niagara Centre): On a point of order, Speaker: Is there a quorum in the House?

The Acting Speaker: Is there a quorum?

Clerk at the Table: A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk at the Table: A quorum is now present, Speaker.

The Acting Speaker: The member for Timmins-James Bay.

Mr Bisson: That was kind of slow. It took a while to get those people in.

For the benefit of those members who just returned, what I was discussing is what I and our party would put

inside a throne speech, given the opportunity this spring. I was talking about pension plans and I was at the point of talking about pension surpluses.

First of all, let's understand. Pension surpluses happen, and we don't need to explain why, but the issue is that if you don't have a mechanism to take the surplus out of the pension, the taxman in Ottawa is going to come and take the money out. So there needs to be a mechanism to deal with surpluses. The question is, what mechanism do you put in? I would argue, number one, there would be only two ways to take money out of a pension plan.

First of all, surpluses should be spent primarily on building a better pension. The max pension you normally get is what they call a 2% pension plan: 2% for every year of service, based on your best three or your best five. Once you have surpluses in a pension plan, it should be automatic that the surplus be applied to a better benefit. Employers should not be allowed to withdraw the money to do whatever or to get pension holidays. Presently you can get a pension holiday, you can withdraw the money or you can put the money in the plan for the purpose of building a better pension. The first thing you need to do is stop the ability of the employer to have pension holidays.

There are two ways to get the money out. The first way I would get the money out is to build a better pension. Once the employees have the max pension built by way of surpluses, the second way I would allow it to be withdrawn is as it is now, but only with the consent of the employees. In other words, you have to have the consent of the employees to take the money out so they have some say about where the money is redirected. For example, if there's a huge surplus inside the fund and it means \$10,000, \$15,000, \$20,000 per employee, that money would then be split between the employer and employee at a percentage by which they paid in, and then the employee could say, "I want my money directed to an RRSP" or whatever it might be.

The basic points I'm making here about pension reform are that we should develop a portable pension system for all employees in the province, there should be a minimum benefit set out in the legislation, there should be automatic vesting as soon as you start working, and you should give employees the ability to direct where pension surpluses are spent.

The last thing I have to say about pensions is that you need legislation, as we did when we were in government, to maintain the principle that 50% of the people on the board are plan members. That way you don't have non-plan members trying to take advantage of any surpluses in the pension and you prevent any kind of wrongdoing or hanky-panky, as we might say, when it comes to pension plans.

Another thing I would dearly love to see—and my leader, Howard Hampton, and the New Democratic caucus have talked about this to a certain degree, not as much as we would like at this point—is the whole issue of apprenticeship reforms. Nowadays in the province of

Ontario we have a non-existent apprenticeship program. It used to be that a young man or woman employed in a mine, a mill, a car plant or any kind of employer out there in construction could look forward to serving an apprenticeship in one of the qualified skilled trades. We have now done away with that. There are still apprenticeship programs available, but they are entirely supported by employers. The government no longer plays a role, other than providing community college access so people can go in and get their credits by way of their apprenticeship program. But there is absolutely no assistance from the province to make apprenticeship a desirable thing for employers to do.

One of the things I believe in my heart and that my leader, Howard Hampton, has spoken of is the whole issue of developing an apprenticeship-style program that says there be a wage subsidy tied to the employee so there is an incentive for the employer to hire the apprentice. In that way, you provide the incentive, you give the employee the ability to upgrade their skills into a skilled trade of some type and you provide an opportunity for people to move up within the various skilled trades.

As well, I believe you have to expand the apprenticeship programs. We shouldn't look at apprenticeships as strictly apprentices in the skilled trades. I think we need to broaden our horizons. We need to recognize that apprenticeships should be looked at in various other trades and professions. Should we, for example, have apprenticeships in the technology side, in terms of computer programming, repair etc? Should there be apprenticeships in the electronics industry in terms of people in telecommunications? Should there be apprenticeships in the administration side? Should there be apprenticeship programs in place for various people out there who want to get into a particular profession or trade? In my view, that would greatly assist employers to develop the skills they need within their employment, within their factories or plants or businesses, and at the same time provide much-needed opportunity to young people in Ontario.

I'll give you a good example. Again, it's a rural issue more than a Toronto or an Ottawa or a Hamilton issue, but in many communities it's very difficult to attract tradespeople. It's very difficult to attract professionals. One of the ways you can do that is to provide opportunities for the individuals within the community to apprentice within those programs.

Another thing that I and my leader Howard Hampton believe needs to be done is the whole issue of a PST holiday. We are into a recession. Let's not kid ourselves. We're into a recession; the economy has slowed. I notice, for example, in the building I live in, there's a coffee shop—

Interjection.

Mr Bisson: You decide, brother, not me. You're the House leader. There's a—

Mr Prue: Coffee shop.

Mr Bisson: There's a coffee shop. Excuse me; you had me going there. The House leader and whip are having a conference and the whip is having a discussion.

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Interjection.

Mr Bisson: That's fine. You just have to tell me when, Peter, That's what I need to know.

We know the economy has slowed. All you need to do is to go into the retail sector and you'll notice there's a lot less activity in the retail sector. For example, there's a coffee shop just downstairs out of my building. I used to go there, up until about a year ago, and you had to stand in a lineup at 8 o'clock, 7:30, in the morning to get coffee. Shelley knows where I'm talking about, because it was the same building where she and Howard lived for a number of years. Now there's nobody there. I go in the morning and I'm the only customer buying coffee. They know me by name now: "Oh, Mr Bisson, here's your medium black coffee, \$1.40, please." They never knew who I was until about six months ago, but they don't have the customers any more. The little sub shop that was downstairs is closed, bankrupt, gone. Why? Because there is not the amount of people travelling in the city of Toronto, and that's primarily what both those businesses catered to. There's not the amount of tourists and others travelling through the city, people travelling on business or people just coming to visit, to sustain those businesses. It's very sad.

That's the reason our leader, Howard Hampton, along with our critic on finance, David Christopherson, have advocated and called for the fact that the government, at the very least in the period running up to the Christmas holiday, should have had a PST reduction. Imagine, if you will, that we had a PST reduction and somebody's looking at buying something. A person, for example, says, "I want to buy a big-screen, 61-inch television. Boy, I'd really love to be able to buy that TV."

Interjection.

Mr Bisson: Now that my friend John is here I'm going the full 25 minutes. Have a good day, John.

The person goes in and says, "I want to buy the 61-inch, wide-screen television, RCA, high-definition."

Ms Martel: Who buys a television that big?

Mr Bisson: Right. Who buys a television that big? That's what I want to know. But anyway, the person goes in and says, "Oh, \$6,000 with the surround sound and all that, with the DVD." Then the salesperson says, "But if you buy it, I'm going to give you a PST reduction."

Ms Martel: It's to watch Shania Twain.

Mr Bisson: Watch Shania Twain? If you come from Timmins, of course you would, on a wide-screen television. She's a very good singer and I love watching her.

Interjection.

Mr Bisson: We're having a discussion around my speech that is really distracting. Anyway, the point I make is this: imagine if Polkaroo appeared on a 61-inch television. Imagine, if you will, that the person walks into the retail store, let's say Krazy Krazy or Artic or Music Box or whoever it might be, Amstar, and says, "I want to

buy a 61-inch television." The person walks in and the salesperson says, "I've got a deal. The provincial government, Howard Hampton, is going to give me a 3% or 4% reduction on PST. I'm prepared, as a salesperson, to give you the other 3% or 4%." So all of a sudden the person's looking at a 7% reduction on a \$6,000 item. It's quite an incentive to buy and you would have a much, much better opportunity to sell those goods. In fact, I know from talking to the retail sector in our community—most employers and most small businesses in my community, I want to say, are not card-carrying New Democrats. Some are.

Hon Mr Baird: Too bad they don't build TVs in Canada any more.

Mr Bisson: We used to build televisions in Canada, but the policies of the Tories over the years—

Ms Martel: Mulroney.

Mr Bisson: —of Mulroney, pushed it all out to the United States and pushed it all the way to Japan. But the retailers in our community are basically saying—

Hon Mr Baird: Eighteen-cent health-care Mulroney, the good old days.

The Acting Speaker (Mr Bert Johnson): The member for Sault Ste Marie, come to order.

Mr Michael Prue (Beaches-East York): He can't heckle from our side.

Mr Bisson: Have the TV scan over here. I want people to know, this is not the member for Sault Ste Marie. I know the member for Sault Ste Marie, and you are no Tony Martin.

Most of the business community in our community are not card-carrying New Democrats. They're not in Sudbury; they're not in most communities. They're a mixed bag of Tories and Liberals and New Democrats. But even the Liberals and even the Tories are telling me, as I go in, "That's a great idea. Howard Hampton has proposed an idea that's concrete, that's money in my pocket, that will work. Could you try to talk the Mike Harris government into doing this?" Our leader, Howard Hampton, has spoken to that very directly. We have encouraged the government to move on a PST reduction over the short term. If we were the government and writing the throne speech in the spring budget, or the spring—Now I'm calling a throne speech a budget. How many times are you going to give me a signal? Anyway, that is one of the things we'd put in it.

I just want to say one other thing before I wrap up the speech, because it is topical to this, and this is a very serious issue, the whole issue of ODSP benefits, Ontarians with disabilities.

Interjection.

Mr Bisson: Excuse me, House leader, I've got the floor. I'm the whip. Just wait a second, all right?

On the ODSP issue, I had a really good meeting with the TCN group, the Timmins Consumer Survivors Network in Timmins. We had a great discussion on the whole issue of people with disabilities and people on the Ontarians with disabilities program specifically. The huge complaint they have is the amount of money they're getting monthly. There has not been an increase on the ODSP for a number of years. Our critic for poverty, Mr Tony Martin, has a bill before the House that basically would index the ODSP to the cost of living, something we would do in the throne speech and we have called on the government to do. As well, our critic, Tony Martin, has another bill to stop the clawback from the federal government, that whatever increase you get on your CPP would not be taken off the ODSP.

The next thing we talked about, and I think it's very important and we need to do some work on it, is a type of STEP program. A lot of people who are on Ontarians with disabilities are disabled but not totally unable to work. But the system penalizes them and doesn't allow them to find part-time jobs, because once you've reached your maximum—it's not a lot; I think it's \$150 a month—you lose your pension. So there's no incentive for those people to go out and try to develop skills that would allow them to work part-time. We need to have a type of STEP program to give those people the ability to have dignity of work, holding on to their pension, maybe a reduced pension, but at least they're able to hold on to their benefits and their drug card and be able to work on a part-time time basis.

With that, I know my good friend from Nickel Belt, Shelley Martel, would love to speak for another 20 minutes.

The Acting Speaker: Further debate? Mr Coburn has moved government notice of motion number 104. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Hon Mr Stewart: I move adjournment of the House.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. I declare the motion carried.

This House stands adjourned until 10 am tomorrow.

The House adjourned at 2138.

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Deuxième session, 37^e législature

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Jeudi 6 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
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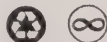
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 6 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 6 décembre 2001

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

CARLEIGH AND EMILY'S LAW
(EDUCATION AMENDMENT ACT -
SPECIAL EDUCATION ADVOCATE), 2001

LOI CARLEIGH ET EMILY DE 2001
MODIFIANT LA LOI SUR L'ÉDUCATION
(CONSEILLER À L'ENFANCE
EN DIFFICULTÉ)

Mr McMeekin moved second reading of the following bill:

Bill 114, An Act to amend the Education Act to provide for a Special Education Advocate / Projet de loi 114, Loi modifiant la Loi sur l'éducation en vue de prévoir un conseiller à l'enfance en difficulté.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes for his presentation.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): Each of us who is privileged with the opportunity to serve the people of Ontario in this wonderful place gets to see and experience many things. Some of those things touch us deeply. It may be a volunteer doing incredible work to build stronger, healthier communities, like that young youth champion we were introduced to the other day. I think you know the person I'm speaking about. The young 16-year-old lady who was here had just received the Order of Ontario, had won several medals at her special games, and had raised, I think, something like a million dollars for the MS Society through her fundraising efforts. Special people. At other times it's a situation that simply breaks your heart.

Today I rise in the Legislature to speak on Bill 114, subtitled Carleigh and Emily's Law. Let me get something out of the way right up front. Those who know me best know I'm no saint. From time to time I've been as guilty as anyone of falling into the trap of being a knee-jerk political partisan. I've learned to cope with this place and even enjoy the cut and thrust of debate that so often characterizes our life and time together. But I've got a confession to make. On most days I would prefer it if we could find ways through select committees and other vehicles to work together in a bipartisan or tripartisan

way to grab hold of the good ideas that all members of this House have from time to time, and use them in the name of the common good.

It is said that for everything there is a season. I want to suggest this morning that perhaps today is one of those seasons when we should hear and respond to the challenge to rise above whatever other things may be driving us this morning, and simply look at this bill on its merits.

Bill 114 is a very simple bill. It represents an honest effort on my part to try to point direction rather than fingers, to rise above, if you like, the sometimes partisan nature of this place in order to do something right and useful.

This bill, if passed, would establish a new position of special education advocate in Ontario. If passed, this advocate would be charged with the responsibility of investigating and reporting to the Minister of Education on special education matters, including a review of best practices, something the auditor pointed out in his report, and yes, special education funding, and with the duty of making recommendations to the minister on these important matters. Bill 114 is part of a comprehensive plan, a toolbox if you like, that we can use to ensure that special-needs students are receiving the supports and services they require. Like baptism, it's a beginning and not an end.

From talking to individual members from all three political persuasions in this House, I know that each and every one of us in the communities we represent across Ontario sees special-needs students every single day, students who for one reason or another unfortunately seem to be falling through the cracks.

I want to stress that I don't think there's any deliberate effort out there to hurt anybody. It's not like somebody's going out and saying, "How do we make it tough for kids who have special needs?" That's not happening. It's just that many of these children, through circumstances beyond their control, become the innocent victims of our Ontario education system, a system that from time to time seems unable to respond to and cope with the demands for specialized services that they place on the system. It's tragic to see and hear the very real stories of these families struggling as that son or daughter goes without the support and services they need to survive, thrive and learn in our system.

Every member of this House knows very well of the special-needs parents calling their office because their son's or daughter's education supports have been reduced or, in some cases, eliminated altogether. These are real families with young children who are asking, "Why are

my child's needs not being addressed by the Ontario education system?" I think it's a fair question and, frankly, one that this government and previous governments have had a great deal of difficulty answering.

In my local riding of Ancaster-Dundas-Flamborough-Aldershot, the Hamilton-Wentworth District School Board has many special-needs students who are no longer receiving the level of support services required to assist them in obtaining a quality education, one that will equip them with the knowledge, skills and tools they will need for later success in life. These are often students who must cope with the challenges of a developmental disability: Down's syndrome, autism, severe behavioural problems, medical vulnerability, deafness or blindness. They are very vulnerable students in need of special assistance and program supports to cope while trying to fit into his or her learning environment.

One area of great concern at the Hamilton-Wentworth District School Board is what appears to be a lack of funding for special-education students who require help. The Hamilton-Wentworth District School Board's professional staff, just for the record, has spent over 5,500 hours meeting with families and other professionals, assessing and completing mandatory ministry forms. This has cost local taxpayers thousands of dollars.

1010

After all is said and done, unfortunately, like so many other things in life, there's more said than there is done. They identified over 1,000 young people in need of an education assistant, but only had enough funds to front 431 of these assistants to help with students in need. That means many of the students have had their time and the time of their education assistants cut, even though their circumstances haven't changed. I want to stress this fact to all members at this point, because it is the exact reason why a special-education advocate is so drastically needed. We have special-education students whose needs have not changed, but we have a system that just seems incapable of responding to those needs.

Like other boards in Ontario, the Hamilton board has seen the number of students who require this assistance go up every single year. In fact, we're graduating fewer students with special needs than we are receiving students with special needs each year. The lack of education assistant support has left principals and teachers scrambling to make do with an ever decreasing amount of support that they're able to provide in their schools. Principals are now stuck and have to try to figure out how best to ration support. So often they're left asking the question, "How much further can we dilute the soup before it's no longer nutritious?"

The problem goes deeper than just education assistants. The Hamilton board has had to close 20 special-education classes, some of which involved speech and language pathologists. There are very long waiting lists for many of these programs. I want to suggest this isn't a unique situation only to Hamilton. We've heard comments from Ottawa, Toronto and other places as well.

Mr Speaker, perhaps you're aware that Bill 114 is named after two young girls in Waterdown, Carleigh

Dunbar and Emily Carey, who with their mothers have fought a very courageous fight to advance special-education issues in the Hamilton area. Fortunately, together with some members opposite, we were able to advocate for Carleigh and Emily. But there's something that haunts me to this very day. It's the realization that, in all likelihood, being able to get the assistance for Carleigh and Emily was received at the expense of somebody else not getting the help they needed. That's not right. Your special-education needs ought not to be contingent on whether you've got an MPP to go to bat for you, somebody who can pull political strings. It ought to be more than that.

I'm a big believer in case-to-cause advocacy. I'd like to see the benefits of something accrue to all children and people in this province. I'd like to see somebody review best practices, take an independent overview, someone who can point direction rather than fingers. To be perfectly blunt, I think we need some help, and we need it soon, to get our system shortfalls identified and responded to. We need to make sure there are no more Carleighs and Emilys, who through no fault of their own fall between the cracks. We certainly can't go wrong with taking a step that can only pay great social and personal dividends down the way.

Mr Michael Prue (Beaches-East York): We will be supporting this. We feel this is a very important bill for many children and many families who, through no fault of their own, of course, through accident of birth, through accidents, through any of life's travails, find themselves with children, with young adults, who need special education, who are special-needs people and who are people whom society should be doing everything possible to help.

Parents always want the best for their children. I don't believe I've ever met a parent who does not want the best for their children. Every parent wants something more for their own children than they had themselves. They want a better education, they want a better opportunity in life, they want better housing—they want everything for their children that they'd either had themselves or that they wish they'd had. Oftentimes those same parents do not have the knowledge or the wherewithal to provide it, and oftentimes they do not have the money, but the need still remains. People come from all over the world to Canada because it's a land of opportunity. They come from all over the world, not always for what will be the best for themselves, but almost exclusively for the dream of what will be the best for their children.

Those children often are the ones who are the true beneficiaries of Canadian citizenship, the true beneficiaries of their parents' insight. What is needed, both for new immigrants and for those who are born here, is for a government to be compassionate, it's for an education system to work. What is needed is a champion for those who are unable to look after themselves. Parents, because they may not speak English as a first language, because they may not be educated, because they just simply do not understand a very difficult system, are unable at this

time always to act in the best interests of their children. They want the best. The best may be there and it may be available, but they don't know how to access it.

In the last few weeks in Beaches-East York there has been much debate, not particularly about this bill but about potential school closings. The parents are often—

Interjection.

Mr Prue: These are the Catholic school closings this time; the public school's already gone through its own trauma. There's a whole debate going on there about how the parents can best save the schools, how the parents can best try to help their children so they don't have to get on buses every day, how the parents can best do 100 things to try to give the opportunity for their children to have the kind of education they had or in fact the kind they wanted. Tonight, of course, the Catholic school board of Toronto will be meeting to decide the fate of many of those schools.

The parents have called my office, have called the office of the school trustees, have called many things, because they do not understand how the bureaucracy of the system works. These are parents with children, some of whom have special needs but most of them who do not, parents who still want the very best for their children. They want to be able to understand what is happening, they want to be able to influence what is happening, they want to change decisions that they think in the long term will be harmful for their children, be that busing, be that special education. They need an advocate who understands and can work through a bureaucratic system, which to many people is amazingly difficult.

Having been a former bureaucrat myself for some 20 years with the immigration department, and having been a politician for the last 13-plus years, both in a municipal government and now more recently here at the province, I will tell that you one of the most difficult jobs any person, any citizen, can possibly have is trying to wind his or her way through the maze of bureaucracy that exists at all levels of government. The maze of bureaucracy that is there in education is absolutely no different. They need an advocate who understands the programs that are available; they need an advocate who knows how to work through the system and find out the programs that are best available for the individual student; and they need an advocate who will provide them with advice on training that the parents in fact may need in order to better understand the needs of their own children, better understand how they can plug into the system and help them to read and write better, plug into the system and help them to get the necessary tools or aids to make their life at school better, and to give them the encouragement that they can go on.

1020

There are many special-needs people in our society who have proven to have done wonderful things once given an opportunity and a few basic tools so that they could not only compete with others who do not have special needs but use their unique abilities in ways that many of us could not have foreseen. We saw the other

night, those of us who were privileged enough to go to the awards ceremony, the investiture of the Order of Ontario, a remarkable young woman who has already been spoken of, a remarkable young woman who has represented Canada at the Special Olympics, who has done fundraising work. She was but one of many recipients. I draw the attention of the members of this House to other people you may know as well.

I still have frequent contact with, and hold in some esteem and awe, Gary Malkowski, who was a man who was born deaf and who is, of course, to this day profoundly deaf. I hold him in awe because of his ability to communicate once he had the special tools and the skills made available to him as a student, who was able to communicate in this Legislature, who was able to communicate with the people of his riding, who was able to articulate and advocate for the needs of special individuals. He once told me that when he was a young man his goal was to be a janitor. He didn't really know much else or figure out much else that he would be able to do, and he wanted to be a janitor. It was only some time later, learning American Sign Language, going to study at university, understanding the unique and great gifts that he had, that he was able to profoundly change his life and to make an enormous contribution to this Legislature and the people of this province. He went on after politics and continues to work for the Canadian Hearing Society in an executive position, and has done remarkable work for the deaf community and all of the community of Ontario. That is a man who had some special needs that were met.

But for every Gary Malkowski there are others whose special needs are not being met. They need an advocate. They need someone who understands and can plug into the program. They need an advocate, someone who can speak on their behalf. They need an advocate to explain to people like Gary Malkowski's parents that he need not be a janitor—nothing wrong with being a janitor, but that if he had other goals, those goals could be met and that they had a role in inspiring him and supporting him to meet those goals.

I remember also a colleague in university. She was a year behind me, but she did share a class with me on one occasion. She was both deaf and blind. Every day she came to the class with a person who signed on her palms and made her understand what the class was. She had been trained to use a typewriter, she had been trained to communicate through her interpreter, and she came to the classes with us with her written notes, she came to the classes and the tutorials and explained what she had learned. She graduated a year after me from the University of Toronto, the first deaf-blind graduate in the history of the university. She went on to do some remarkable work on behalf of the people of Ontario. Unfortunately, she died a very young death. But I remember her and the opportunity that was available to her and the fact that she was able to do that with the help of people who had advocated on her behalf, who were there and prepared to help her to learn to work and then to

make the remarkable contribution that she did during her all too brief and short life.

We are here today to support this motion because we believe that special-needs young people need an advocate. But more importantly, we believe that their parents also need an advocate to try to get that which is best for them. There are all too many people on the waiting lists. There are all too many people waiting for special-needs education. There are too many in a province as rich as this province. There are too many in a country as rich as this country. Every time we fail one of those special-needs students, we fail ourselves as a society. We fail ourselves because they do not have the full potential to offer what they may offer. They do not have the full potential to advocate, to work at the Special Olympics, and to come back and advocate for all people, to make Canada proud. We fail because we do not have other people like Gary Malkowski in this House, who, with a little training and a little help, would be able to make remarkable contributions. We fail because, as a society, we are poorer without their contributions.

An advocate will make sure that doesn't happen. An advocate will be something like an auditor—and I don't want to scare the members opposite. An advocate will be somebody who will stand up and speak, and say that the system is not working—the system that is supposed to work—will point out those things that are wrong. He or she will be able to articulate and study and know where improvements can be made. All members of the House would be able to turn to them for advice. The staff would be able to phone them when constituents came in looking for help for their special-needs students.

To my mind, this is one of the best things we can possibly do in the education program, to look after those students who need that extra little bit of help. For years, school boards across this province have been giving a little bit extra to special-needs schools, a little bit extra to schools in areas that have lower socio-economic status and where the students need a little bit more one-on-one counselling, or where the educational grades haven't been as good as in some middle-class schools. The province and the school boards have made great efforts to provide every child with an opportunity. This is but one more means to provide that opportunity, and to do it well. It is but one more means to take that large list that exists for special education students, and to narrow it down and focus it, and to make sure that the problem the student is encountering is remedied, to make sure that it does not recur, to make sure that the opportunity exists for each and every one of them to be exactly who they can be, the best they can be—and proud of the education system, proud of the government of Ontario, and proud of their families—that they have been able to attain a goal which only a generation or two generations ago or three generations ago would have been impossible. That is what we must do.

We should not stand in the way of what, I think, is an excellent bill, proposed by my colleague here, that will help every single child in this province.

Mr McMeekin: On a point of order, Mr Speaker: I'd be sadly out of place if I didn't take a moment to introduce Linda Carey and Karen Dunbar, the inspiration for the bill. Linda is Emily's mother, and Karen is Carleigh's mom. Welcome. You've been a real inspiration.

Mr Garfield Dunlop (Simcoe North): I'm pleased to rise this morning to say a few words on Bill 114, Carleigh and Emily's Law. I thank the member for Ancaster-Dundas-Flamborough-Aldershot for his initiative in what is intended to improve special education. I'll be sharing my time this morning with the members for Barrie-Simcoe-Bradford and for Kitchener Centre.

Specifically, the bill recommends the creation of a special education advocate who would advise and assist parents and guardians of students with special needs, investigate and report to the minister on matters related to special education, and advise the minister on special education programming, services and funding.

Our response to this bill is that it is not helpful. It merely duplicates the expert advice already in place in the system to support both the ministry and the school boards.

1030

There are a number of reasons that the bill does not deserve the support of this House, and I will be detailing them. In addition, I want to describe for members the impressive strides our government has been making to improve the quality of special-education programs and services throughout our province.

Our government's education reforms have a simple and clear goal: it's a provincial education system that is focused on student achievement and on giving our students the best education possible. We are building a system with higher standards that has the will and capacity to measure its effectiveness, assess its success and take action to improve.

This vision of a modern and capable education system includes students with special needs. That is why we have taken a number of important steps to protect and increase funding for special education, to build consistent, province-wide standards for special education, and to improve accountability for special-education programming to parents.

There are approximately 193,000 students with special needs in our province. Our government believes they deserve the same opportunities to learn, grow and reach their full potential as all other students. We fully recognize that many special-needs students face significant challenges and that their parents only want the best for their children.

All school boards are required by the Education Act to provide special-education programs and services to students who have been identified as exceptional pupils. This requirement also extends to pupils who attend school earlier than age six and to students with special needs up to the age of 21.

When our government began its first mandate, we quickly became aware of a number of important issues in special education that had to be addressed.

We knew that the involvement of parents in their child's education makes a major contribution to learning and achievement. Yet parents of students with special needs told us they were often frustrated by the lack of a voice and a role in making decisions about special education for their children.

We found that special-education students' needs were not being addressed in a consistent manner throughout our province. The problem was particularly apparent when a student moved.

We had a funding system that provided funding for special education but didn't make school boards accountable for spending that funding on special-education programs and services.

In addition, the old approach to funding did not attempt to match funding to need. It did not respond to the needs of students who required high-cost specialized equipment or intensive classroom support.

In our first term, we made significant changes to special education to address these issues.

We started by giving parents a legal right to participate in all meetings, discussions and decisions about the identification of their child as a special-education student.

In addition, we introduced individual education plans as the centrepiece of each child's special-education program. The IEP is the key to an effective special-education program because it describes the individual student's strengths and needs, expectations for the current year, and the programs and services that will be provided to help the student reach his or her goals. We also provided parents with the right to provide input into this plan.

We introduced protected funding for special education for the first time in Ontario. School boards can now spend their special-education funding only on special-education funding and programs.

We set up a two-part special-education grant that matches funding to need. First, there is general special education funding based on each school board's total enrolment. Second, there is intensive support funding for students who need a relatively high level of specialized programs and services.

Following the introduction of these changes, the government monitored their implementation carefully. Members of the minister's special education advisory committee and local special education advisory committees provided their advice. What we found was that parents were not satisfied with the support their children were receiving through special education. They told us that further changes were required to ensure that their wishes were respected, and that we needed to hold boards accountable for following the regulations and meeting the needs of exceptional students.

As a result of the advice we received from parents, in early 2000 the minister announced a three-year plan for improvements to special education. The focus of this plan included greater accountability to parents, the development of province-wide standards for special-education

programs and services, and increased funding. I am pleased to advise members that we have been making significant progress towards all of these goals.

Mr Speaker, I'd like to thank you for the opportunity this morning and pass it over to the member.

Mrs Marie Bountrogianni (Hamilton Mountain): I'm not sure if I need to say this, but I'll be sharing my time with the member for Brant.

It's almost a shame, isn't it, Mr McMeekin, that we need this bill. We shouldn't need a bill to advocate for the weakest in our societies. That is the Canadian way. That is what makes us unique in the world. And for us now to have to bring this important bill in is an embarrassment. It's an embarrassment to us as Canadians, as Ontarians, as educators, and definitely as parliamentarians.

The good member opposite from Simcoe North talked about the old approach versus the new approach. I was there during the old approach and I was there during the new approach, and I can tell you, the new approach is why I am here. The reason why I came here is because of what you did to special education.

As I've said many times before, I worked with special-needs kids as the Hamilton board's chief psychologist and I saw special education decimated under this government. I am not saying that you purposely got up every morning and said, "Let's see how we will attack the weakest in society." No. I know that you have good intentions. All I'm saying is, your plan didn't work, isn't working and won't work, and you need to listen to the good member for Ancaster-Dundas-Flamborough-Aldershot. You need to listen to the parents who are in the galleries. You need to listen to, I'm sure, the hundreds of letters you're getting in your constituencies. I get them and all our colleagues get them.

When I was chief psychologist, we saw children within three months—children with learning disabilities, children with behavioural problems, children with emotional problems. Within three months we were able to see these kids; within six months able to have a program in place. When I left in 1999, the waiting list was one year. I was being influenced to instill a moratorium on the waiting list and I refused. Sadly, the new regime at the Hamilton board did institute a moratorium, which means that parents whose children have difficulties can't even get a psychological assessment to pinpoint the reasons for those difficulties. They can't even do that. Why is that? Because the waiting list would have been two years and it looked bad.

What I say is, let the waiting list be what it is. How else are you going to show this government that there's a need?

The member opposite talked about the old approach versus the new approach and he made it sound like this government discovered IEPs, the individual education plans. They've been there for 20 years. It was the good Progressive Conservative government of Premier Davis that instituted that over 20 years ago.

He talked about the advisory groups that they have put into place. Those advisory groups have been there for 20

years. It is those advisory groups that are saying to us that it's not working.

I have three constituents' children who I am sure would like an advocate. Bryan Woods is a speech and language disabled child who has Tourette's syndrome and ADHD and, due to the new criteria, the new approach of ISA funding, is no longer eligible for an educational assistant. He once had one-on-one educational assistant support. Last year, he had one-on-one for half days. This year, he has a tiny bit of it only when he visits the comprehensive classroom, and he's failing badly for the first time since before his identification. The new ministry criteria for ISA funding severely restricts children like Bryan from accessing the extra necessary assistance.

Laura Zaffiro-Smith has an autistic child in kindergarten. He requires major assistance with occupational therapy. Due to cutbacks in funding to CCACs, regular systematic occupational therapy is not available. Finally, in November, after a lot of advocacy, Mr McMeekin, some schools on the east mountain were allotted a minimum of OT time. To make a long story short, her little five-year-old gets OT help once a month. If it wasn't so serious, it would be a joke. Once a month. Hamilton is a very high-need area. The constituent knows of unequal funding across the province in special ed and feels that funding should be in line with the needs in any particular area.

Then there's Kelly and her son Brett. He's 15 but his mental age is 10. He has severe mental and emotional problems. He's not attending school since there isn't an appropriate program. I have a 10-year-old. I can't imagine this 10-year-old not attending school, but he's not attending school. There isn't a program. We used to have programs in the Hamilton board for kids like this: hard-to-serve kids. We don't now. They were cut with this government. He is medicated with very potent drugs to control his mental illness episodes. He has side effects, severe incontinence problems, and there's no respite available for his mother. He's on a waiting list for assessment for an alternative school placement, and the waiting list is over two years long. He's at home alone when his mother works part-time. These are serious social problems.

These three kids came to my attention in November, last month. We could talk for hours here about the kids who need help.

Theoretically, we have advocates within the school system for special ed children. They're the special-ed consultants and the psychologists, the speech and language pathologists. But they don't have a voice. They go to their superiors within the board and the superiors say, "Sorry, there's no money." They go to their MPP. We write you letters. We write the minister letters. We bring it up here in the Legislature. And finally, maybe, one or two children out of 50 that come to our attention may get the help after a lot of political pressure. Think of the taxpayers' expense just for that process. Wouldn't it be easier to put that funding back into special education?

I agree with the member from Beaches and I agree with my good colleague from Ancaster that we as Canadians definitely need to look at this and fulfill our obligation to the weakest in society. It is embarrassing, but at the same time I have faith in my colleagues, I have faith in the system and I have faith in democracy that at the next election the people will see what is truly important and should be truly important in Ontario and will elect a government that cares for the weakest. Because when we care for the weakest, that is truly when we have progress in this province.

1040

Mr Dave Levac (Brant): I am very privileged and honoured to speak to Bill 114, An Act to amend the Education Act to provide for a Special Education Advocate.

I want to thank the member for Ancaster-Dundas-Flamborough-Aldershot for choosing very carefully in his private member's time—and I want to reiterate "private member's time"—to tackle this issue in a very non-partisan and very caring way. My seatmate is to be congratulated for this gesture. It's not just a gesture, and I want to make sure that's understood. This isn't a symbolic motion by the member. This is a passionate plea for assistance for those students who, through no fault of their own, have been left behind.

Quite frankly, I want to talk a little bit about what was mentioned by the member for Simcoe North. My disappointment is not just in him but in the fact that I think, by the way he spoke, he was speaking for the entire party on a private member's issue, and unfortunately he forgot to mention that this province has an Ombudsman, this province has an auditor, this province has, through their design, a Red Tape Commission to make sure things are done in a proper way. It's really unfortunate to now say, in their logic, that there need not be an auditor of some sort to ensure the delivery of a system for those students who need that special help, who through no fault of their own require the levelling of the playing field for their educational purposes.

This request for an advocate is absolutely visionary to ensure that people across this country get the message loud and clear that Ontario cares for those children. Quite frankly, we have heard from OSSTF, we've heard from OECTA, we've heard from school boards, we've heard from thousands of parents across this province responding to my colleague's bill saying thank you, because there's a trap here. They're falling into this trap, and you have not provided them any way to get out. Why should a parent have to come to a legislator in the province of Ontario to seek help for their child inside a system that already exists? It's because of the bumbling of special education.

Why do I say that? In 1998 and 1999, I was the principal of an elementary school. In 1998, I went through the process for the ISA grant structure. I received two special assistants, two EAs, in my school to assist two students. The following year the ISA structure was completely revamped. What did this government do to assist

those students? They raised the bar on the ISA grant structure so that those same students who received help—I had to tell those parents with heads in their hands and crying that they couldn't have that EA help any more. Why? Because they raised the bar, and they had to have that much more difficulty in their structure.

Those two students I received help for the previous year had advanced a year and a half in grade level. Guess what happened to them the following year with no assistance? They went behind a year and a half. Quite frankly I was disgusted to think that this government would look at, "How do I save money on the backs of those children?" They implemented the system, and I compliment them for doing that, because it did focus on the kids. But when they discovered it was going to cost them too much money to provide that help, they had to come up with a system that said, "No more. We can't give you any more money. As a matter of fact, we've got to cut down on the amount."

This bill should be, must be, supported by this Legislature in order to ensure that the parents have a place to go, that the students have a place to go, that the school board has a place to go and the government has a place to go, to rely on the fact that they are doing the right thing. I support this member wholeheartedly, and I beg and plead with the members on the other side: don't play the game of how much money you've spent and how great the special-ed system is, because it isn't working. They're telling you it's not working. So please, please pay attention to this bill. It's the right thing to do.

Mr Gerard Kennedy (Parkdale-High Park): It's a pleasure to join this debate today, because finally for many people around the province, for many parents and most importantly for many kids, there is a ray of hope after five years of neglect by the government; after five years of a problem that is governmental in a way I have not seen problems in many years, a tying up of the most intimate personal attributes of some of these children in bureaucratic paperwork and procedures in a whole Soviet-style approach that denies the very essence of what these children are and what they need.

This is about special-needs children. It's about the kids who are most vulnerable in our education system. What the government has done—and I guess at this point, especially in private members' hour, we don't care whether it was deliberate—is to make these children be evaluated four times in the last five years, using huge amounts of resources that can be quantified at about \$85 million a year in teacher time alone, not counting the medical specialists on OHIP and on private fee to parents, who are being used to do assessments, so that this government can have a warehouse full of paperwork to look over the shoulders of the special-needs teachers, the trustees and the boards around this province, but to no end. Every single year this paperwork has been done—this huge amount of paperwork occasioned by this government's requirements—they don't even look at this paperwork. They sample it, and at the end of the day they don't even use this paperwork to help these kids. Instead we have kids out there who need someone to help them.

We say to the members opposite: cancel the paperwork and start fixing this problem. This bill we have today, Bill 114, Emily and Carleigh's bill, is an example of what could be done as a beginning, not as total solution. There are many more things we need to do to live up to the implicit promise we make to vulnerable kids in this province that they will be treated with the same kind of respect as other kids. There are members on all sides of this House who know what I mean. They've sat across from these families. They may even know some of these families. They may be part of some of these families.

I was in Windsor last week in a room full of them to hear them tell me and tell others about these children who were successful one year ago, two years ago or three years ago. These children with autism, with incredible challenges in their lives, were working successfully in their environments, and those supports had been taken away from them. The idea of an auditor is simply to start putting us on our marks. We simply cannot be in a position, even if it is inadvertent—this morning we offer the government the possibility that this isn't something they planned just to cut money; we know the directors of education said \$300 million was taken out of special education when the government took it over.

More relevant today is whether there's an intent in the House to do something that is better for these children. There's something we can do about the anxiety and the frustration parents are feeling. Stop labelling their children by their negative deficits. Stop calling them things that I think we can't even say in public conversation any more, that have to go down on forms for the government, rather than an effort being made to put as much resources as possible to helping people. The current rules would have us stop helping children with special needs, with reading problems, with medical problems as soon as they improve. It doesn't make any sense. An auditor—any fair-minded person who looked at that and had the power to do something about it—could fix this for those children.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I am very pleased to join in the debate with respect to the bill brought forth by the member. Certainly there's a lot of style to this bill and very little substance.

I'll tell you this: the province has done a lot of work with respect to special education, not only in terms of funding but also in terms of standards across the province, to make sure that special education is implemented across this province with respect to fair standards that respond to the need for special education. The ministry has implemented those standards with special advisory education committees working with parents and school boards.

1050

The bottom line here is accountability. What I think the member is proposing here is a school board czar. They're saying there's a need for parents to have a place to go, for boards to go and for the ministry to go. What system do we have in place right now? As far as I'm

concerned as the member from Barrie-Simcoe-Bradford, in terms of working with the education partners, we have a system that's set up, in place, and I have confidence the school boards are doing their job. They're also part of the implementation process with respect to these standards. The parents have a place to go. In terms of the situations I have dealt with, they deal with the principal, the superintendent, the director. If that doesn't satisfy them, they deal with a trustee. That's the process that's in place.

The member is not proposing a solution here. He's basically setting up what he considers, and what I can see is an adversarial situation. He's talking about investigating and reporting, he's talking about recommendations to the minister, and then he's also talking about advising and assisting the parents and guardians of the pupils in special-education matters. How much of a bureaucracy are we going to create, in addition to the ministry, in addition to the regional offices the ministry has, and in addition to what we have with respect to the school boards, to actually implement what the member is talking about?

He's talking about, in a singular sense, a special-education advocate. There is nothing singular about this. When you look at what is required here, at what they're proposing this individual will be, this individual is going to stand above the Ministry of Education. This is a school board czar. It's not addressing the needs and the concerns parents have with respect to special education.

The funding formula: this is the first government that has basically set forth in very clear terms what the board's responsibilities are in terms of protecting funding for special education. What they're doing here is they have to spend the money for special education—it's very clearly set out—on special-education programs and services. I understand that in the current fiscal year, school boards are receiving in excess of \$1.37 billion for special-education programs and services. That's an increase of 17% since 1998. As well, boards have been given flexibility to use \$360 million in increased funding to address local priorities, which would include cost pressures related to providing support to students with special needs.

In addition, the minister has committed to continue refining the funding mechanism. That's what's been going on ever since this funding formula has been brought in: refining, dealing with the partners and trying to make sure the money goes to the places it's needed. What we want to do and what the funding formula is set up to do is to provide fair resources to school boards for the delivery of special-education programs and services to students, including all students with high levels of need.

What is being asked for here today is to set up a special education advocate. Let's not misrepresent what this can actually accomplish. This is not going to solve what parents need in dealing with their boards. The boards are responsive to the parents in terms of what their concerns are with respect to this. We have given the school boards the responsibility to implement and make sure that the special-education programs and services are provided to their respective school boards—

Mr David Christopherson (Hamilton West): But you didn't give them the money.

Mr Tascona: They have been given the money—and to make sure that school boards are not taking money out of special education. That's a very firm part of the special-education funding formula.

Formerly, I was parliamentary assistant to the Minister of Education. We were dealing at that time with bringing standards across the province so there were fair services provided to all school boards. We have set up a special education advisory committee that works with parents and the boards in implementing what is important with respect to these standards, and getting more ideas. So this is not a fixed situation; it's a fluid situation—I think the member opposite recognizes that—in terms of refining the funding formula and looking at what is needed in special education. That's why the standards were brought in, to deal with this situation.

The point of this is that what's being proposed here today is not a solution. It's not a solution for parents who have concerns with what is going on with their children. What's important is for parents to recognize that the relationship they have with their school board is a very important one in terms of what they can have to accomplish that. Otherwise, why do we have school boards? This is basically a shot across the bow, saying, "School boards are not doing their job. They're not the vehicles to provide it." I can't interpret this in any other way, because they're basically saying, "Set up a school board czar above the Minister of Education and above the school boards and this person is going to have all the powers necessary to deal with special education problems."

That's just not going to be fair and is not going to be the reality of how this will be dealt with. The province has set up standards for special education. The province has set up a funding formula for special education. They have a system in terms of delivering special education, and that's through school boards.

Mr Wayne Wettlaufer (Kitchener Centre): I rise to address the specific provisions of the bill. The bill calls for the creation of a special education advocate. We've heard that before. If this bill were to be adopted, the special education advocate would have to investigate and report to the minister, make recommendations on program changes, funding and services, and would advise and assist parents with special-needs children. There are significant problems with this. The Minister of Education already has in place a number of bodies with clear mandates to provide advice. The proposed role and function of the special education advocate would duplicate the roles and responsibilities of these bodies.

First of all, the Minister's Advisory Council on Special Education is mandated by order in council to meet three times a year to provide advice on special education policy, programs and funding. The council is made up of representatives from parent groups, professional groups and the education sector. It responds to ministry proposals and provides advice to the minister on a variety of special education issues.

Secondly, there are special education advisory committees, mandated through regulation 464/98 to provide advice to every school board in the province on any matter concerning the establishment, development and delivery of special-education programs and services. They provide information to parents as requested and participate in the board's planning and budgetary processes.

Next we have school councils. They provide an avenue for parents to provide advice to principals and school boards concerning education in their own schools. This may include advice about special education, to the extent that it's offered in and impacts on the schools.

Finally, there is the restructured Ontario Parent Council. It now includes regional representatives of school councils, providing school councils with a voice at the provincial level. The Ontario Parent Council continues to advise the Minister of Education on issues that concern the parents of elementary and secondary school students in Ontario.

I think that's a pretty impressive list of advisory bodies. Those four advisory bodies were either established by this government or have had their mandates significantly strengthened by this government. I believe it's difficult to mount an argument that the special education advocate is needed because there are no avenues for parents' voices to be heard, as the member would like us to believe.

The Acting Speaker: Response?

Mr McMeekin: The only people who aren't impressed are the parents of special-needs kids who see their children falling between the cracks. I'm not advocating any school board czar here. In fact, I'm pleased to report that at least half a dozen school boards in the last week have, by resolution, actually endorsed this option. If they were fearful, unlike the government, they wouldn't be doing that sort of endorsement.

1100

I want to be clear here: whatever failures exist, no one's guilty but we are all responsible. This bill simply attempts to put in place a process that would enable those who really care about the special needs and equal opportunities for our kids to be able to share their dreams together, to be able to celebrate, to find a way to rise above the fragmented structure that the member opposite was describing, to celebrate and to share best practices and to commit to working together to point direction rather than fingers.

Do you know what happens right now? The school boards say, "We don't get enough money." The minister says, "Oh sure you do." Then you send it off to a whole fragmented group of so-called referees who don't have the power to implement any change anyway. This bill would give somebody oversight responsibilities. I would think only a government with the wrong look in its eyes would fear putting someone in place to supplement, to augment, what they want to believe is a system on the verge of being flawless. Why would a government fear putting somebody in place to work with all those who

share the dream of an Ontario where everyone could stand and grow? I just can't understand why members opposite wouldn't support it.

The Acting Speaker: This completes the time allocated for debate on this ballot item. I will place the questions needed to dispose of this item at 12 o'clock.

PUPPY MILL BAN AND ANIMAL CRUELTY PREVENTION ACT, 2001

LOI DE 2001 SUR L'INTERDICTION DES USINES À CHIOTS ET LA PROTECTION DES ANIMAUX

Mr Colle moved second reading of the following bill:

Bill 100, An Act to ban puppy mills and other cruel animal-breeding activities and to protect animals bred for commercial sale from abuse by amending the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 100, Loi visant à interdire les usines à chiots et autres activités relatives à l'élevage qui sont cruelles et à protéger des mauvais traitements les animaux élevés à des fins commerciales en modifiant la Loi sur la Société de protection des animaux de l'Ontario.

The Acting Speaker (Mr Michael A. Brown): The member has up to 10 minutes for his presentation.

Mr Mike Colle (Eglinton-Lawrence): I appreciate that, Mr Speaker.

As you know, over the last six months or so, it has been brought to our attention that across Ontario there are individuals who, for profit, are systematically abusing defenceless animals and are doing it essentially in 400 different locations that are known across Ontario. These locations are called "puppy mills." If I could read from an article from the North York Mirror of December 5, by Lorraine Houston, it defines this practice for everybody out there:

"Puppy mills are a multimillion-dollar business in Canada. They are breeding operations where dogs are bred for financial gain under substandard conditions. These so-called businesses excel in assembly line puppy production. Their goal is to make as much money as possible. They have little or no regard for the welfare of the puppies."

This is an attempt, hopefully, by this Legislature to put an end to these practices, which are proliferating for profit right across this province.

I would like to first of all thank all the people across Ontario who have come to the aid of these defenceless companion animals and have signed petitions. I've got over 15,000 citizens who have signed petitions, all the way from Thunder Bay to Cornwall to Kingston. They have written letters, e-mailed, saying, "Please do something. Enough is enough. These people have to be put out of business."

As you know, Mr Speaker, the famous case north of Toronto, the Misener case—this despicable group of individuals has been in this business of puppy mills going back to 1964, repeat offenders who are making money off these defenceless companion pets.

I would like to thank my colleague Jim Bradley, who saw the urgency of this and allowed me to bring my bill forward and switch places for this bill to come here today. I'd really like to thank him for sacrificing his time slot. I'd also like to thank the work that my colleague Sandra Pupatello has done in Windsor, raising awareness about puppy mills in Windsor—certainly Dominic Agostino has done the same thing in Hamilton—and all the members of both sides of the House who care deeply about stopping this incredibly inhumane so-called business activity.

What my bill attempts to do is strengthen outdated and very weak provincial laws that exist. The provincial laws that are on the books don't even give the humane societies or the societies for the prevention of cruelty to animals the ability to inspect one of these premises. They have to get a warrant to do so. This is one of the reasons why I put in my bill that an officer of a humane society or of the SPCA should have the right to inspect one of these business operations and certainly be able to fine them and close them down. Right now, they do not even have the right to enter the premises where these business activities are going on. That is uncalled for.

These premises are usually known, because in this province we've got a great number of reputable, excellent breeders and kennels that love their animals. They're sensitive people. These are the good people we don't want to go after. We want to go after these mercenaries who are operating, basically selling dogs at the roadside, selling them in newspaper ads and sometimes, sadly enough, through pet stores. That's why in my bill I'm also saying not only to fine the puppy mill operators \$50,000 if they're found to be doing this practice, but also if a pet store knowingly and willingly sells a pet from a puppy mill, because that also puts an onus on them that, before they sell pets, they make sure the animals are well taken care of and don't come from these puppy mills. Sad to say, right now many of these pets you buy in pet stores have no guarantee that they don't come from a puppy mill. In my bill, I'm also saying you have to let the pet store owners know they could be fined if they collaborate with these puppy mill operators.

Also in my bill, I ask for some licensing to be done of breeders. Essentially, it would be a simple process, that if you allow the SPCA or the humane society to come to your place of business to make sure you have a clean, hygienic operation, you have veterinary support, you are a reputable business operation, on that inspection you could get a licence. Therefore, you could have a licence posted in your place of operation that shows the customers, potential purchasers of a pet, that you've been inspected. Right now, anybody can claim to be a breeder. You don't need a licence to be a breeder in Ontario. There are no provincial laws governing the breeding of pets in this province. The laws that are there say that you can operate without any licence. So I'm saying there should be a licence provincially, that you pay every 10 years or whatever, that at least you've been inspected and are subject to inspection if there's a complaint, like any other licence.

In this province, we license dogs. If you own a dog, you have to have a licence. But if you're a breeder of dogs, you don't need a licence. I think good breeders would want to support a licence, because they are the ones who are good business people. They're not out to harm their animals as these puppy mill operators are. We also regulate, license and inspect restaurants. We inspect cars through the Drive Clean program. We inspect workplaces. We have health inspectors and building inspectors. Yet there are no inspectors in this province who could enter a premise to make sure animals aren't being abused. They have to get a search warrant. That is not necessary. If they have probable cause, they should be able to go in there and make sure the animals aren't mistreated. That would close these places down very quickly.

1110

I want to thank all these people who have certainly educated me in this area. I've got people like Candice Ptolmey, from Angel House Rescue; Pauline Gallie, from Georgina; Kimberley Kent-Rodgman, from Sherlock's Maple Haven Animal Sanctuary; Leanne Potter and Krystyna Hunt, from No Puppy Mills Canada; Kerri Vincent, who is an animal behaviour consultant in Cobourg; Brenda Stevenson, who brought her dog Bell, whom she saved from the Miesner puppy mill; the SPCAs all across this province, that need more power.

Donna Perry from Toronto collected 5,000 names for this petition. That's how strongly she felt to do something to protect these innocent animals that can't defend themselves. Maxine Watson, from DaMax Kennels in Stratford, got 800 names. She's a kennel operator and she says, "We need to protect these defenceless pets." Barbara Jennings, from Orangeville, even went into the police station in Orangeville and asked the police officers to sign a petition. All the police officers in Orangeville at that division signed the petition. There are so many unsung heroes: Karen Stimson of the Dufferin Animal Clinic; Elaine Gaynor. All these people feel so strongly about getting our provincial government to do something.

In this Legislature we've got a golden opportunity to say that these disreputable mercenaries who abuse animals systemically across this province can be put out of business and should be put out of business immediately. It's something we have within our power. We get very tough with criminals, but we should also be tough with people who are basically bordering on the criminal on a daily basis by abusing these defenceless animals. Right now, there's a hodgepodge of regulations where in one municipality there is a strong SPCA, a strong animal control or humane society and in others there isn't. We need a provincial law that says it is illegal to take advantage of animals for profit and breed them for profit without any kind of licence.

This free-for-all has to end. These animals cannot speak for themselves, and the public wants us to do the right thing. We have a great opportunity here today.

Mrs Julia Munro (York North): I appreciate the opportunity to rise in the House this morning and speak on Bill 100.

It's important to recognize that all of us, on both sides of the House, are sensitive to the kind of public education we've had in the past few months with regard to puppy mills. All of us understand the fact that a mark of our civil society is the way in which we treat our animals. Certainly everyone is moved by the kind of evidence that has occurred in the province in the past few months that demonstrates that there are situations that exist in our province that leave vulnerable animals exposed to neglect, to maltreatment. It's in that context, then, that we are looking at actually two private members' bills that deal with this issue.

There are a couple of points I would like to make with regard to this particular bill, and one of those is the question of the need to license. Behind that is the notion that licensing all breeders of dogs and cats would ensure that these animals would be well served. I think there's a mistake in assuming that licensing equals good breeders. Licensing will certainly bring together those people who have that common interest. That will mean there's a network of people who have as their interest the betterment of individual breeds, who appreciate the companionship and the opportunity of owning a dog and of being able to provide a dog for others to enjoy.

But I think that's the end of the opportunity that licensing represents. If you look at those who choose to be outside that category of a good breeder, being licensed is not the answer. Good breeders, yes, by and large, are already members of the Canadian Kennel Club. They already ensure that they meet the standards of registration, that they do not knowingly sell animals for resale. So they have already established themselves in that capacity. Municipalities, recognizing their role in licensing, not only license individual dogs and their owners but obviously provide in some cases very significant bylaws that protect.

All these examples demonstrate the fact that good breeders are already in those categories of licensing. What fails to be met in this is the fact that people who want to operate outside that category will continue to do so. It really is the same kind of logic that suggests that criminals register their guns. People who don't provide adequate care operate outside the registry, operate outside the registration. For instance, those people who operate outside will offer for sale and will say to their purchasers, "We aren't providing the papers for this dog," and the purchaser will say, "It's OK, I don't really need the papers. I don't know why I would need them." The reality is that that's contrary to the federal livestock act. You are required, according to that act, to provide a registration for this animal.

The point is that what we're talking about is a question of who would be caught by this proposed legislation. I submit to you that it would not be the people who are not providing the care, who are neglecting their animals. That is the issue for all of us to consider.

Mrs Sandra Pupatello (Windsor West): Let me just say at the outset how pleased I am to support my colleague Mike Colle's private member's bill. As a great

show of support from my own community, we have some 2,500 signatures on a petition from the Windsor-Essex area alone in support of the Mike Colle bill that would ban puppy mills.

I find it interesting that we have a member from the other side of the House who is a breeder herself and doesn't find some level of conflict of interest in discussion of a bill that may well license breeders. If this were a discussion at other levels of government, surely that would be ruled as a conflict.

But let's go back to what it means to ban puppy mills and why this is important. It's important, as my colleagues know, to have this discussion just before Christmastime when so many puppies and pets are bought for children. All those who are in the business in a professional way know this is the worst time of year to buy pets for children. There's far too much commotion, far too much emotion around the purchase of a pet, so children who are helping to make these decisions are doing so without necessarily knowing the requirements and responsibilities of being a pet owner. So this is a very good time of year to have this discussion in this House. We can make those parents aware that they should just wait until things calm down to make a rational decision about whether children are ready for pet ownership.

It's important to know what puppy mills do. Those individuals who are breeding, literally churning out puppies, are doing so at the detriment of those little puppies and their moms, the dogs having litter after litter after litter without the proper time in between. We have inbreeding going on that results in dogs with genetic disorders, with immunity issues. As a consumer protection issue, we should be concerned that these pets sent out to be sold come into the hands of families that face huge, needless veterinary bills, and often these puppies that come out with very aggressive tendencies because of this inbreeding will then be sent to the local humane society and they're going to be put to sleep. We want to ask ourselves if this is fair.

1120

When we see what's happened in puppy mills across Ontario, many around the greater Toronto area that have been busted, only to be open for business again within a couple of months, we know the Mike Colle bill is going to address the demand for the puppies. If we can address the demand—that is, fine the stores for selling these puppies that come from puppy mills—we'll go a long way to cleaning up this area.

Once again, the puppy mills are overbreeding the dogs, which is unhealthy for the animals—problems with genetics. And there's the overpopulation of dogs, that we get so many. Dogs that aren't wanted because they have all these problems are given away and then euthanized by human societies. These young puppies are often shipped away from their moms far too early, so they're not there long enough to develop proper dog instincts. And they usually live in very unsanitary conditions because they're bred so cheaply. They live on mesh floors so these breeders don't have to clean up properly after these little animals.

I think society at large should be judged by how we treat these other levels of humanity in our lives. We should be judged by how we treat our animals. Any of us who own pets have to feel for how these little puppies are being bred and then brought into our families across Ontario. The Mike Colle bill addresses these issues, not just by looking at breeders who are professional and do the job well, who are very supportive of this legislation, but also by looking to the pet stores to be responsible and not sell these animals to families unsuspecting about the origins of these puppies.

I think it's important that we look at the licensing and registry that's mandated through this bill. Most importantly, it's very timely, that at this time of year when everyone is looking at the potential of purchasing pets for the family at Christmastime, we don't get ourselves into a situation of going out to make these purchases without knowing where the puppies come from. As some of the research shows, some 90% of the puppies sold in pet stores originate from puppy mills. We have got to do something about the demand for these animals and, if we can, fine the pet stores that do not take into consideration that these puppies have been bred professionally. I think it's incumbent on this House to address the issue, to take care of these little animals, which in turn are going to take care of us.

Mr David Christopherson (Hamilton West): I appreciate the opportunity to join in the debate. Let me say at the outset that I think the member for Windsor West makes an excellent point when she says that this is a good time to be debating this, given what a lot of parents do vis-à-vis pets. There are a lot of young people in the public galleries here today and possibly a lot of moms or dads at home watching. I think it's important that that message get out at this time.

Let me also just say that when we're talking about pets, next to our children and extended family members, a pet is about as close to a legitimate add-on to your family as you're ever going to find. As chance would have it, just this morning I got a call from my legislative assistant, Linda Mitchell, who just loves animals and is very active in supporting groups that want to protect and advocate the rights of animals. She got a little puppy just a little while ago, a couple of months ago, and last night the puppy was hit by a car. The dog's name is Babe. They think their dog is going to be fine, but it's in that period right now where it could go either way. That's where she is, and quite frankly that's where she ought to be. This is an important living creature in her life and it needs care, it needs love, it needs affection.

I would have to think the mindset that Linda has today for her pet has got to be about as extreme an opposite to the—boy, we're restrained by parliamentary language—low-lifes who run these puppy mills. There's really no other description for them: an absolute, total disregard for life.

I find myself in the unusual position this morning—I may just have to lie down on the couch and be analyzed for a while, because I find myself, for the second time

within two weeks, quoting and agreeing with Christina Blizzard, which I'm sure causes her as much upset and concern as it does me.

Mrs Margaret Marland (Mississauga South): It's because of the season.

Mr Christopherson: As my friend says, it's the season.

She writes an article in yesterday's paper, the Toronto Sun, and it's headed up, "Puppy Bills: One problem with two answers means no political solution." I think that dichotomy's been set here this morning: Mr Colle advocating his bill; we heard Mrs Munro get up and defend her bill. Ms Blizzard speaks to the fact that you've got two bills that speak to the same critical issue. If we aren't careful—and I've been around here for quite a while now—we're clearly going to ratchet this up to make it a partisan thing: the government's backbencher bill versus the official opposition bencher's bill. In that kind of clash, it just comes back to who has the most numbers, who can drown out the voice of the other side. On this issue, we shouldn't let that happen.

Christina Blizzard said, in closing her article, "Both Colle and Munro make good points, and they are both motivated by the best interests of the animals. But they need to work together on this one. It would be truly encouraging if humans could put aside their differences so we never again have to see grotesque pictures of ailing, flea-bitten kittens and worm-ridden puppies that are the inhuman product of the puppy mill industry."

I suspect if we had the opportunity to ask some of the young people who are here today if they care whether it would be a government bill or an official opposition bill—if it meant eliminating this blight from our society, do they really care whose name is on it or what party is attached to it? Then ask them if they think it's right that that kind of partisan debate should stop us from taking action.

There is a point at which we have to stand back, and this is the time to do it. This is private members' time. This is the time when we come in and debate for two hours every Thursday morning without our party membership card being front and centre, because there's not one of us here who agrees with every policy that our party puts forward. This is the opportunity to speak from our heart, from our conscience, perhaps from a community perspective, one that is not driven by the party. Yet that's where we're heading here, very quickly.

I look at Mrs Munro's bill, which passed this place, by the way, on November 22, Bill 129. She obviously cares about this issue, beyond her own bill. She came in this morning and spoke. I think that says a lot about her legitimate commitment to this issue. In the explanatory note in her bill, it says in part, "It"—meaning the bill—"establishes standards for the care of cats and dogs by persons who breed cats or dogs for sale and creates an offence for the violation of any of the standards." A perfectly reasonable, well-thought-out approach.

The bill from Mr Colle this morning, Bill 100, says in the explanatory note, "The purpose of the bill is to ban

puppy mills and other cruel animal-breeding activities and to protect animals bred for sale from cruelty and abuse by amendments to the Ontario Society for the Prevention of Cruelty to Animals Act." Another well-thought-out, well-intentioned bill.

Is it really—and I say this to all members here this morning—beyond us to pass a second bill that deals with the same issue? I grant you it takes a different approach, but isn't that the whole point of this crucible here? Isn't that why we're here: to take opposing ideas and at the end of the day, by the free exchange of those ideas, come up with a law that is in the best interests of society and is the best law that we can bring forward? Is it so far beyond us that we can't pass this bill today and send both bills, simultaneously, to whatever committee we want, with the instructions that we want them to look at both bills, hold public hearings and make recommendations back to this Legislature with regard to the best course of action on a piece of legislation that we would pass?

1130

Mr Dave Levac (Brant): A good idea, David.

Mr Christopherson: I hear one of my colleagues saying that would be a first. Actually, it's probably not; it just seems like it most days because we're always at each other. But quite frankly, there are many times when we take issues—I remember when my friend Brad Clark was parliamentary assistant to the Minister of Health. He took the issue—I can't remember the name of the bill right now—of the rights of people with psychiatric disabilities. It went off after first reading, which was a mechanism Norm Sterling brought in when he was government House leader, saying, "Let's try this. It's a way that I want to see if we can send legislation off before second reading, when we're all entrenched." What happened was, that bill went out after first reading and there were public hearings. There was a major effort. I remember Frances Lankin, the former member for Beaches-East York, playing a key role not in going after the government but in working with the government—in this case Mr Clark—to come up with the best bill possible. Now, at the end of the day we didn't get unanimous support of the House, but the process alone defused any real anger or built-in opposition that we normally have as opposition members to a government bill. Some of us supported it.

I think the fact is that when we want to, we can do it. We just don't do it very often, I say to my friend from Brant, and that's why it seems like we never do it. We can do it. We have the capability.

I would say to all my colleagues in this place that given the importance of this issue—don't we all find it disgusting that in this day and age this is still going on? It's one of those issues where people stand back and say, "Why isn't somebody doing something? Why are we allowing cruelty to animals to exist?"

We're halfway there. We've got one bill passed through this place. I was reading Hansard around the debate that day. It was an excellent debate. Let's not lose that momentum because we're going to start to become

entrenched with, "It's my bill," and "her bill" and "his bill" and "their bill." It's collectively our responsibility, particularly on Thursday mornings, when it's private members' time.

So I would urge my colleagues to set aside whatever partisanship may be creeping into this issue. Let's pull back from that. Let's pass this bill. Let's have both Bill 100 and Bill 129 on second reading, which is a matter of agreeing in principle—there's nothing unparliamentary here—and saying that our intention to speak as a Legislature is to the issue that this must stop and that we are prepared to exercise the power that the people of Ontario have given us to make sure it stops. Let's leave the exact method and the regulatory process and framework that we might build to a committee. Let's have the public come in, have the SPCA come in, have people like Linda Mitchell who might want to come in and have something to say about this issue. Let them have their say, and then let a committee of this place decide what the best way to go is. Refer back here with the recommendation, and then let's get on with it.

Let's not do nothing, and let's not have a divided House on this issue, because it sends out the wrong message. The message needs to be loud and clear: "It's unacceptable to do this to innocent animals in the province of Ontario from now on. That is the law." Let's not let it get lost or divided over partisanship. Let's keep our eyes on the prize. In this case, it's doing what's right.

I want to commend both members. I hope we would have the same sense of purpose that we had when we passed Mrs Munro's bill just a couple of weeks ago and see that take hold today. Let's pass Mr Colle's bill also and get on with doing what the people of Ontario expect us to do in this place.

Mr Doug Galt (Northumberland): I'm pleased to have the opportunity to say a few words about the bill brought forward by our good friend the Liberal member.

Our government has always fought animal abuse and supported tougher penalties against those convicted of animal cruelty. We've funded various initiatives for the Ontario SPCA and given funds to help in the ongoing battles against illegal puppy and kitten mills.

We're studying our own legislation to combat this intolerable situation but we are opposed to the private member's bill that was introduced by the member from Eglinton-Lawrence. We feel that Bill 100 is problematic and will increase administrative delays, red tape and inefficiencies by forcing legitimate animal breeders to obtain a licence in an unnecessary regulation.

Comparison can be made between breeder licensing and gun registration. It's costly, it's ineffective and it would target only the law-abiding. I can go on to point out that the only province I'm aware of that does have licensing is Manitoba, where only some 40% of the breeders are actually registering—it's a \$100 fee—and 60% of the known breeders are not registering. Dear knows how many more who are not known are not registering. Registration tends to drive them underground. We notice that criminals do not in fact register their weapons.

If this bill is adopted, it may require a constitutionally legal opinion with respect to charter implications of entering puppy and kitten mills without a warrant. That's rather unprecedented. This could ultimately result in unnecessary delays in rescuing at-risk animals.

If adopted, Bill 100 would levy fines against pet stores that knowingly buy or sell pets from puppy and kitten mills. That would penalize legitimate operations, and this indeed is not fair.

The public has a right to buy pets from legitimate breeders, but they should ask questions about the background of those animals. We do not support people buying pets that were raised in puppy or kitten mills. There are hundreds of unclaimed animals in humane societies across the province, and these animals need loving homes. We encourage pet owners to support their local humane society and adopt their pets from them.

We will also continue to press the federal government to quickly pass legislation that will give more teeth to the Criminal Code and increase penalties for cruelty against animals. We encourage the member from Eglinton-Lawrence to do the same.

Mr Speaker, I'm sure you'll recall my resolution in November 1999 to encourage the federal government to increase the penalties, particularly after the incident in my riding where Nikita was dragged behind a half-ton truck—a most unfortunate situation for that particular animal. I am pleased to report that she did make a very successful recovery.

Our government is serious about protecting animals and boosting animal welfare in this province, but Bill 100 would hurt legitimate breeders without stopping the proliferation of puppy and kitten mills in the province. We use the terms “puppy mills” and “kitten mills” very freely when in fact some of these evolve from people having some animals that are bred and, in ignorance, they end up in this kind of situation. We need more education out there so people are aware of the proper way.

The kind of bill that was brought forward by the member from York North, giving a code of practice on how these animals should be raised—I'm very supportive of that direction. But this direction of registration is indeed not something that's really going to be all that helpful, as proven in the province of Manitoba. The track record is there; all we have to do is look at what's been happening in another province and recognize that it indeed is not working.

Yes, I would like to see a change in the OSPCA act. It's being worked on, and the sooner we can bring it to the floor of this House to have a thorough review, I think the better for animal breeders, the better for the public who are concerned about animal welfare in general.

1140

Mr James J. Bradley (St Catharines): The time for private members' public business is a time where we're supposed to see a degree of non-partisanship that we don't see in other debates in the House. I think the member for Hamilton West put it very well when he said it's time put aside the partisan differences, try to meld the

two bills perhaps and come forward with a piece of legislation that is going to be helpful to the dogs and the people who love dogs in this province.

I've got to say that I think the bill that the member for Eglinton-Lawrence has brought forward is an excellent bill. It addresses many of the problems that exist at the present time. I was moved when I was reading—as we all are when we see it in any form in the news media when some problems are encountered—the description of some of the cruelty that has taken place. The Hamilton Spectator had an editorial on August 28 that started this way:

“Imagine almost 180 ill, flea-ridden dogs and puppies confined to makeshift clapboard pens in a dilapidated barn with inadequate food and water. Such were the conditions in what Ontario SPCA officials describe as the most horrific puppy mill they have ever seen. The makeshift kennel in Vaughan north of Toronto came as a shock to Ontarians who thought that animal abuse on a scale as massive as this was largely a problem for Quebec, known as the puppy mill of Canada as a result of being the only jurisdiction in North America that doesn't have an animal welfare act.

“Whether dogs, puppies and other animals are suffering at the hands of unscrupulous individuals in Quebec or Ontario, people are outraged at both the extent of animal cruelty in Canada and the weak, outdated laws that deal with it.”

Clearly, what has happened is that this piece of legislation is designed to deal with a very serious problem, and I want to commend my colleague for it. It is one of the reasons—in fact, it is the primary reason—that I changed places in the order of precedence for bringing forward legislation, because I think this bill is an urgent bill. It's an urgent problem out there. I think it addresses many aspects of the problem that exists that perhaps previous pieces of legislation do not.

What we have, in essence, been saying is that there is a need to require the licensing of all pet breeders and kennels to operate in Ontario. We have a lot of licensing that takes place. This bogeyman that has been advanced by those opposed to this legislation apparently is most unfortunate, because we license in a number of different areas and it makes sense to do so. The people who are legitimate puppy breeders do not worry about that licensing at all; in fact, they want to see the other people put out of business.

We have to have legislation, as this legislation is, which allows full inspections of breeder and kennel operations by the Ontario Society for the Prevention of Cruelty to Animals. We need legislation that will make it a provincial offence to operate puppy or other pet mills, punishable by fines of up to \$50,000 and/or two years in jail. Those are tough, meaningful penalties. It allows the imposition of a lifetime ban on individuals found operating pet mills. It imposes fines and jail terms on pet store operators that knowingly and willingly buy or sell pets from pet mills, and is a bill which establishes a publicly accessible provincial registry of pet breeders and kennels.

We have seen a petition with some 15,000 names on it. In any community, if you put such a petition out, people would sign it quickly.

The member has given this a lot of consideration, a lot of thought. His enthusiasm for this particular issue reminds me of his enthusiasm for another issue, and that was the Oak Ridges moraine, where he took it on as personal crusade and, as a result, we had legislation coming forward in this House which was largely recommended by the member for Eglinton-Lawrence.

But I can tell you, that is not what my colleague is looking for with this—his name on a piece of legislation. I can tell you that he's genuinely concerned because he's met with the people who have brought to his attention the problems that are out there. He has, as I think we all have in this House, a genuine feeling for these animals. They're vulnerable. They require our help.

Those of us who are in government have a role and responsibility to protect the weak within our society, and that doesn't only apply to human beings; it applies to animal life as well. These helpless puppies that are bred in terrible conditions and sometimes have lifelong afflictions for that reason deserve protection. I think this bill has all of the essential components for that kind of protection and therefore I support it today.

Mr Michael Prue (Beaches-East York): I see I have two minutes and a little, so of necessity I'm going to keep my remarks very brief.

I think the debate here today has been most instructive from all sides of the House. I would like to commend as well the two people who have brought forward bills, Mrs Munro and Mr Colle. They've done an excellent job in highlighting the problems that exist here. I want to tell you that I wrestled between the two bills, which one I thought was the better. I don't know whether we have to get into that, because I acknowledge and appreciate the suggestion made by my colleague Mr Christopherson that this should really just go to a committee and should be hammered out, and the best parts should be taken from both bills and compromises should be made.

But what particularly brought me to Mr Colle's motion was the fact of the licensing and provincial registry, and the fact that pet store sales from unlicensed dealerships would not be allowed to happen and would be the subject of fine or imprisonment. It is not that the people who are going to run puppy mills will necessarily want to go out and get a licence. It's the secondary. It's the dealerships, it's the people who are in the stores selling the puppies and the kittens across all the malls of Ontario who will be very wary of buying from unlicensed dealerships because they, in turn, would find themselves subject to fine or imprisonment. That's the importance of the bill, not that the puppy mills are going to run out and get a licence. Of course they're not. But the secondary distributors are going to have to be very wary of it. That's what draws my mind to being the important aspect of this bill that should be added to Mrs Munro's bill.

Another point was made, and I want to reiterate it, that we are never going to stop the wanton breeding of

animals and the huge waste that is involved, the tens of thousands of animals that die in these puppy mills, nor the tens of thousands, maybe hundreds of thousands, that are put down every year at the humane societies, the SPCAs and the various animal pounds of municipalities.

The public has to be brought to understand that it is just as important to rescue the pets from those institutions and to have them in your home as it is to go out and buy a cute new puppy from a puppy mill.

1150

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate with respect to the member's Bill 100, Puppy Mill Ban and Animal Cruelty Prevention Act, 2001. I think the member from Hamilton Centre indicated that on November 7 we had a bill before us brought forth by the member for York North. It was entitled the Ontario Society for the Prevention of Cruelty to Animals Amendment Act, 2001, and dealt, in the context of what we're debating today, with the same type of legislation with respect to the operation of puppy and kitten mills.

I just want to point out for the record there really hasn't been any substantial change to the Ontario SPCA act since 1919. I can say that the Solicitor General's office has been working on this in term of a working group looking to bring changes to that piece of legislation.

With respect to the legislation brought forth by the member from York North and the member before us today, there are substantial differences between the bills in terms of approach to try to deal with the problem. I think all sides agree that there is a problem that we have to deal with here, and that was certainly brought forth by the media last summer in terms of two operations in particular that could only be construed as puppy mill type of operations and certainly were not treating the animals the way they should be treated.

When you look at these pieces of legislation, both of them are looking to create a provincial offence with respect to the operation of puppy and kitten mills. Where they do differ in one part is in the licensing of breeders. That's not part of the plan with respect to the member for York North. I think it may be a false assumption to say that licensing automatically will determine that there's a good breeder. There's an assumption there that we are required to license breeders and that's going to solve the problem. There is no basis for that particular approach. The only other province in the country that has licensing is Manitoba, which has a small number of breeders in terms of the numbers that would be in this province.

The other difference in the act is that the member today in his Bill 100 is proposing warrantless entry. I think the member for Northumberland correctly pointed out that that certainly would be subject to a charter challenge. There has to be some kind of judicial over-seeing of the approaches to the entry of the premises. There should be some judicial oversight and that's certainly not part of the plan of the member from York North. She proposes telewarrants and access to tele-

warrants by the Ontario SPCA inspectors where it would be impractical to appear before a JP, and that is the judicial oversight that we're looking at. You have to have some judicial oversight. You just cannot ride roughshod over people in terms of their property rights.

Fines for pet stores—that's a difference with the member for York North's bill that went through the House on November 7, and to be clear, her bill did pass through this House. The member today is proposing fines for pet stores. I would say to the member, certainly I understand the intent, but the scope may be far too restrictive in terms of the distributor of pets and the type of operations we're trying to deal with that would distribute the pets from these puppy mills or kitten mills. The scope has to be focused. It shouldn't be basically saying, "If we deal with pet store owners, that's going to solve the problem." That's a fairly narrow viewpoint of what we're dealing with here. So that's another group that the member opposite is targeting. He's targeting breeders and he's targeting pet store owners.

Both of the pieces of legislation being proposed have penalties, increasing the fines moneywise and also the prison time. Both of them are looking at a lifetime ban on operations, but one thing that the member's bill today doesn't have is standards of care, which the member from York North creates—a set of standards.

The intent is worthy of recognition and we'll see today what happens.

Mr Dominic Agostino (Hamilton East): Certainly I'm pleased to stand and speak in support of the bill of my colleague Mike Colle from Eglinton-Lawrence. I want to congratulate the member for the effort and dedication he has put into this issue as he's driven and continues to drive this very important issue.

As well-intentioned as Ms Munro's bill here was, it's certainly my view and the view on this side of the House of the official opposition that it doesn't go far enough. Clearly, this is a very important issue; it's a very serious issue. We have seen some absolutely horrific situations that have occurred in Ontario: repeat offenders, individuals who time and time again have continued to operate these filthy, unsanitary, dangerous puppy mills simply for profit and with total disregard for the care of the animal involved.

The reality is this: you either want to be cute and fuzzy about this and say, "Well, this is nice. We've got some legislation that makes us feel good," or you can really get tough on the violators and those individuals who decide that they're going to abuse animals for profit. This bill does that. I don't think it goes too far. It's tough, and I think it should be a tough piece of legislation. There should be some severe penalties for violators. I don't think it targets anybody who is above-board, who is a legitimate operator, who breeds puppies in a manner that is acceptable. Their licensing will take care of standards. I believe inspections are necessary. This bill gives some real powers to go after those individuals who continue and who believe it's acceptable to abuse these animals in the fashion that they do.

Clearly, we've got a decision to make here today. I'm a little surprised that the government is opposing this piece of legislation. It makes a lot of sense. I think it adds to the bill that Ms Munro had brought forward. I don't see a problem. I really have a tough time understanding why the government side would have a problem with a fine or penalty on those individuals who do not abide by this piece of legislation. It gives some real power here. It gives the SPCA some power to inspect, some powers to license.

Right now, they can only respond on complaints. I've met with the SPCA in Hamilton. I've talked to the folks there and I've toured the facility. They can tell you horror stories. They're powerless right now unless there's a complaint. Once the problem occurs, they can move in and try to rescue those animals, and often it's too late at that point. So what we need is a situation where there's a standard licensing process, where there's an opportunity for inspections and there's an opportunity to shut those things down before they become the horror stories we have seen. This is what Mr Colle's bill is all about, what this bill does.

I'm really not concerned about the fact that we're going to go after individuals who knowingly sell these puppies because, clearly, in order for the puppy mills to operate, there have to be individuals beyond that who are willing to sell these animals for profit as well. Legitimate pet store owners have absolutely nothing to worry about with this piece of legislation, because the bill makes it clear that they have to know that they have purchased this from a puppy mill that was unlicensed, unregulated, that broke the law. So if someone simply decides that they're going to make a few fast bucks by purchasing these animals and they know that these animals have been bred in a situation that's unsanitary, unsafe, unlicensed, then frankly they should be up for prosecution, they should be charged and they should be fined if they're found guilty with whatever penalties are there. So it doesn't target the legitimate breeders, it doesn't target the legitimate pet store owners; it targets those who knowingly and deliberately go about injuring, hurting and causing pain and lifelong damage and often death to these animals for profit.

I cannot understand why anyone in this House would have a problem with that. I think we, hopefully, have evolved as a province over the years, as a society, where we understand and respect the rights of animals. We understand they're simply not there to be abused and used and then discarded. Anybody who walks into an SPCA in the province can see that every single day. It's a serious problem. The government says, "We've been looking at it." I think the Solicitor General has had the study group going for five years now and we've had five years of inaction.

This piece of legislation, if supported today and goes forward, will finally give the SPCA some real power, will give them the ability to go in to inspect, license, shut down and go after these criminals, frankly, who go out there deliberately and have no problem injuring or killing

hundreds or thousands of animals simply to make a profit. I wish everyone in this House would support this bill. I want to commend my colleague Mr Colle again for the effort, dedication and commitment he has made to this cause. I certainly hope that in a non-partisan fashion today the government will support this piece of legislation and give some real protection that is long overdue.

The Acting Speaker: Response?

Mr Colle: I want to thank all my colleagues on both sides for their contributions to this bill. This bill targets puppy mill breeders, puppy mill operators. That's whom it targets. We've got to put these disgusting people out of business.

There are 400 of these things going on under our noses all across this province. All we've done is study the damned thing. We have the opportunity to close them down today if we want to. Instead, we hear the members opposite talking about the poor pet store owners across this province who knowingly and willingly are selling puppies every day when they know they're from puppy mills. I won't defend those pet stores that do that knowingly and willingly, like the member across there.

Legitimate breeders aren't afraid of being licensed and legitimate breeders aren't afraid of being inspected. Right now in Ontario, the SPCAs and the humane society can't even inspect these business operations. You can't even go on their property while they're doing this illegal practice. My bill says, give the right to inspect and license the ones that are legitimate, and if they don't meet the criteria, take the licence away.

Right now it's basically a disaster across this province. We all know these exist. The government has been studying this for five years. For five years they've talked about it. I've talked to people all across this province who are in animal rescue, SPCAs and humane societies. They've told me what would be needed to close these—whatever they call them—down. They said you need to inspect them, you need to license them and you need to close down the pet stores that sell them. They're the ones that said to put this in the bill. I'm not a breeder like Mrs Munro. I'm just an ordinary person. I'm not up here—

The Acting Speaker: Thank you. This completes the time allocated for debate on this ballot item.

CARLEIGH AND EMILY'S LAW
(EDUCATION AMENDMENT ACT -
SPECIAL EDUCATION ADVOCATE), 2001

LOI CARLEIGH ET EMILY DE 2001
MODIFIANT LA LOI SUR L'ÉDUCATION
(CONSEILLER À L'ENFANCE
EN DIFFICULTÉ)

The Acting Speaker (Mr Michael A. Brown): We'll now deal with ballot item number 37.

Mr McMeekin has moved second reading of Bill 114, An Act to amend the Education Act to provide for a Special Education Advocate.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will take the division after dealing with ballot item number 38.

PUPPY MILL BAN AND ANIMAL
CRUELTY PREVENTION ACT, 2001

LOI DE 2001 SUR L'INTERDICTION
DES USINES À CHIOTS
ET LA PROTECTION DES ANIMAUX

The Acting Speaker (Mr Michael A. Brown): Mr Colle has moved second reading of Bill 100, An Act to ban puppy mills and other cruel animal-breeding activities and to protect animals bred for commercial sale from abuse by amending the Ontario Society for the Prevention of Cruelty to Animals Act.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

We will take this division after we deal with ballot item number 37.

Call in the members; it will be a five-minute bell.

The division bells rang from 1202 to 1207.

CARLEIGH AND EMILY'S LAW
(EDUCATION AMENDMENT ACT -
SPECIAL EDUCATION ADVOCATE), 2001

LOI CARLEIGH ET EMILY DE 2001
MODIFIANT LA LOI SUR L'ÉDUCATION
(CONSEILLER À L'ENFANCE
EN DIFFICULTÉ)

The Acting Speaker (Mr Michael A. Brown): Mr McMeekin has moved second reading of Bill 114.

All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic	Di Cocco, Caroline	McMeekin, Ted
Bartolucci, Rick	Dombrowsky, Leona	Patten, Richard
Bountrogianni, Marie	Duncan, Dwight	Peters, Steve
Bradley, James J.	Gerretsen, John	Phillips, Gerry
Bryant, Michael	Kennedy, Gerard	Prue, Michael
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Colle, Mike	Kwinter, Monte	Ramsay, David
Conway, Sean G.	Levac, David	Ruprecht, Tony
Cordiano, Joseph	Marchese, Rosario	Sergio, Mario
Crozier, Bruce	Martel, Shelley	Smitherman, George
Curling, Alvin	McGuinity, Dalton	

The Acting Speaker: All those opposed will please rise and remain standing until your name is called.

Nays

Baird, John R.	Johns, Helen	Sampson, Rob
Barrett, Toby	Johnson, Bert	Snobelen, John
Chudleigh, Ted	Klees, Frank	Sterling, Norman W.
Clark, Brad	Marland, Margaret	Stewart, R. Gary

Clement, Tony
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Guzzo, Garry J.
Jackson, Cameron

Martiniuk, Gerry
Mazzilli, Frank
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
Ouellette, Jerry J.
Runciman, Robert W.

Stockwell, Chris
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

MEMBERS' STATEMENTS

SCHOOL CLOSURES

Mr Mario Sergio (York West): I want to address my remarks directly to the Premier and his failed education policies. We have seen six long years of frustration, turmoil, crisis, cuts and chaos. Tonight the separate school board is facing a very tough and very difficult decision. They are put in a very untenable position of deciding which schools they are going to close. There are five schools in my particular riding that are being contemplated to be shut down. They have the community up in arms.

Mr Premier, it's because of your misguided education policy that five schools are being contemplated to close down. You have the parents and you have the kids up in arms. You have parents who moved into that particular community because of their community school, and now the school is being closed. How are the kids going to move out to another area after they have spent many years in that particular situation?

It is because of your funding policy, it's because of the government education formula, that we are facing today the closing down of five particular schools. I don't think that this is what the kids want, that this is what's fair to the board. This is the decision they have to make tonight. It's very unfair, and I call on the Premier to fund the schools so that we can retain our schools in our community.

ANIMAL CRUELTY

Mrs Julia Munro (York North): I rise today to speak to the issue of puppy and kitten mills. Although I applaud the member for Eglinton-Lawrence in his efforts to bring this issue forward, I would also like him to stay on the issue. It is easy to scream accusations and throw in red herrings, but that does not address the issue of animal cruelty. I would like to suggest that the member opposite speak to the Integrity Commissioner and take up his accusations there and then get back to the real issue of puppy and kitten mills.

Contrary to the Liberal opposition, this government is not protecting pet stores and puppy mill breeders. By implementing standards of care, we will have the ability to eliminate these mills.

I think it is important to point out that the majority of breeders operate out of their own homes. Allowing the Ontario SPCA inspectors to enter without a warrant gives them more authority than the police have in dealing with violent criminals, obviously a charter challenge issue. I don't think the member opposite thought of that.

I think it is also important to talk about Manitoba, the only province in Canada which does have provincial licensing of breeders. While licensing is mandatory in Manitoba, it is estimated that only 40% of breeders have

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 32; the nays are 39.

The Acting Speaker: I declare the motion lost. We'll now open the doors for 30 seconds.

PUPPY MILL BAN AND ANIMAL CRUELTY PREVENTION ACT, 2001

LOI DE 2001 SUR L'INTERDICTION DES USINES À CHIOTS ET LA PROTECTION DES ANIMAUX

The Acting Speaker (Mr Michael A. Brown): We're dealing with ballot item number 38. Mr Colle has moved second reading of Bill 100.

All those in favour will please stand and remain standing until their name is called.

Ayes

Agostino, Dominic
Bartolucci, Rick
Bountrogiani, Marie
Bradley, James J.
Bryant, Michael
Christopherson, David
Colle, Mike
Conway, Sean G.
Cordiano, Joseph
Crozier, Bruce
Curling, Alvin
Di Cocco, Caroline

Dombrowsky, Leona
Duncan, Dwight
Gerretsen, John
Guzzo, Garry J.
Kennedy, Gerard
Kormos, Peter
Kwinter, Monte
Levac, David
Marchese, Rosario
Martel, Shelley
McGuinty, Dalton
McMeekin, Ted

Patten, Richard
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Smitherman, George
Tilson, David

The Acting Speaker: All those opposed will please stand and remaining standing until their name is called.

Nays

Baird, John R.
Barrett, Toby
Chudleigh, Ted
Clark, Brad
Clement, Tony
Cunningham, Dianne
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Jackson, Cameron

Johns, Helen
Johnson, Bert
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Mazzilli, Frank
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn
Newman, Dan
Ouellette, Jerry J.
Runciman, Robert W.

Sampson, Rob
Snobelen, John
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tascona, Joseph N.
Tsubouchi, David H.
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 34; the nays are 37.

The Acting Speaker: I declare the motion lost.

This completes all private members' public business. This House stands adjourned until 1:30 of the clock.

The House recessed from 1214 to 1330.

registered and 60% have not. We can see in this example that this does not work.

The only thing that can stop these horrible practices is by making sure these animals are cared for properly.

SCHOOL POOLS

Mr Michael Bryant (St Paul's): School pools are to a city what the great outdoors are to much of rural Ontario. School pools are not a luxury for Toronto. They are part of an active, healthy, safe and supervised life-style.

Unless we have the funding for dozens of pools in our public schools, unless the funding conflict between the Toronto District School Board and the city of Toronto and the provincial government is resolved, thousands of kids are going to go without this opportunity. I ask the government to maybe think of this less as a jurisdictional turf war and more in terms of crime prevention. If these kids are not in healthy recreational programs, many are going to end up playing in the city's shadows, as it were. I don't think that's in the interests of anybody.

I hope the government will take a close look at this and understand that the Toronto District School Board has a shortfall. Under the funding formula, it doesn't have the money to provide for these schools. The city of Toronto has said in its finance committee that it simply cannot make up for that shortfall.

Let's make sure the kids in Toronto today have the same kinds of opportunities growing up in safe communities that many of us here in the House, I hope, enjoyed. For the sake of the kids, not for politics, let's make sure we resolve this funding conflict over school pools.

CHRISTKINDL MARKET

Mr Wayne Wettlaufer (Kitchener Centre): About 700 years ago, around the year 1310, Germans in Munich participated in an annual opportunity for farmers to go to town to do some shopping and offer their wares for sale—the Nikolausdult Market. To this day, the festival continues in Munich. However, as times change, so do customs and traditions. The festival is now called Christkindl Market, or Christ Child Market.

Along with the new name, the popular festival has adopted new traditions. As the custom of giving gifts around this time of year became popular, the market adopted the custom. The market became a popular venue for crafts, gift items and foods and, of course, a place for the sale of toys for children. They became world-renowned for their ceremonies, festivities, entertainment and outstanding gifts of food.

I am proud to say that Kitchener city hall is hosting Canada's own original Christkindl Market today through Sunday, December 9, 2001. Over 25,000 people from across North America come to experience this event. I am also proud to inform the House that Kitchener's

Christkindl Market was awarded Best New Festival by Festivals and Events Ontario in 1999.

My personal thanks go to the German community of Kitchener, and especially Tony Bergmeier and the German-Canadian Business and Professional Association, who organized the event, for their hard work. I invite everyone to come to Kitchener city hall throughout the next three days to experience Kitchener's own Christkindl Market.

CONSIDERATION OF BILL 128

Mr Rick Bartolucci (Sudbury): A month ago, I introduced Bill 128, An Act to permit the naming of highway bridges and other structures on the King's Highway in memory of police officers who have died in the line of duty. In the preamble to the bill I said, "We, the people of Ontario, are forever grateful to the dedicated police officers who have courageously and unselfishly given their lives in the line of duty. Our debt to them can never be repaid." Today, I challenge the Harris government to call this bill forward, to give it quick passage and to ensure that this is enshrined in law before we break next week. It is important to police officers who on a continuing basis put their lives on the line.

Today I am buoyed by a letter I received from the Ontario Provincial Police Association. It says, "91 Ontario Provincial Police officers have been killed in the line of duty serving the citizens of Ontario." This association is asking for all members in the House, in a non-partisan way, to pass this bill and enshrine it in law.

Certainly, when I met with the Ontario Provincial Police Association this summer, they gave me the impetus to put this bill together, so in many ways they are the authors of this bill. The police officers of the province of Ontario are the authors of Bill 128, and I ask the government, I demand of the government, I plead on behalf of the police officers in this province: pass Bill 128, show your respect to them, and show your respect for community safety.

1340

HOMELESSNESS

Ms Shelley Martel (Nickel Belt): On December 4, the Social Planning Council of Sudbury released its third report dealing with homelessness in our community. The report confirmed, from January to July of 2001, a 50% increase in the number of people who are absolutely homeless, having only temporary housing at the Salvation Army or Geneva House, a shelter for battered women. In the same period, the total number of homeless, those with temporary housing and those staying with friends because they can't find adequate housing of their own also increased by 13%, to a new high of 399. About 40% of the homeless are women. Infants, children under 13, and seniors make up a growing percentage of the homeless. Over 25% included aboriginal people.

The researchers concluded that Sudbury has a serious problem with rents. Too many people are forced to spend more than 50% of their income on rent, and low social assistance rates are forcing people to choose between paying rent and buying basic necessities like food. They concluded that both levels of government must make homelessness a priority to reduce these appalling numbers.

It appears the federal government is moving forward with its promise to invest \$680 million over the next five years. But the Conservative government's recent response to homelessness is to trot out a repeat \$20-million program to provide a sales tax rebate to developers building affordable housing. Since the number of homeless increased the last time this program was in effect, it's clear it won't do anything to kick-start the creation of affordable housing for the thousands of people who need it.

Basic shelter is not a privilege; it is a right. It's time for this Conservative government to build affordable housing for people who need it.

CONSTITUENCY STAFF

Mr Garfield Dunlop (Simcoe North): I want to rise today to speak about the amazing effort and support we as members get from the staff in our constituency offices and at Queen's Park. Regardless of political party, the staff in each member's office play a valuable role in helping people with a variety of issues ranging from OSAP to birth certificates to the Family Responsibility Office. The staff also provide the public with valuable information and help with the many services offered by the Ontario government and the community at large. The staff in our offices also help to keep us politicians organized with our schedules, our speaking engagements and the thousands of letters and e-mails that come into our offices each week.

Sometimes the constituency office staff do not get a chance to see what goes on at Queen's Park because they are too busy with work or too far from Toronto. Today, I have invited my constituency staff from my Midland and Orillia offices to Queen's Park to see what goes on in this building first-hand. I'm hopeful that after visiting Queen's Park, they will be able to make better-informed decisions on a daily basis in the constituency offices.

I'd like to take this opportunity to introduce my staff from Midland and Orillia: Diane Burt, Marjorie Roach, Marilyn Rolland and Mary Silk, and Janet Copeland from my Queen's Park office.

DOCTOR SHORTAGE

Mr Tony Ruprecht (Davenport): Reading this morning's headlines can make you sick. As many as eight Toronto operating rooms are set to close, forcing patients to wait longer for elective surgery. Every non-emergency procedure at these hospitals, from joint replacements and organ transplants to cardiac and cancer surgeries, will be

affected. Starting Monday, Toronto General Hospital will close three operating rooms, Toronto Western Hospital shuts down two and Princess Margaret will close one. In addition, Mount Sinai will close an operating room. Why? Because this government has failed to understand the basic premise of health care.

Doctors perform operations. The reason we don't have enough doctors is because presently there are 2,000 foreign-trained professional doctors not only in Ontario but the majority are in Toronto. What are they doing? They're driving taxis, cleaning restaurants and delivering pizzas. We're asking today that the Minister of Health and the Minister of Training, Colleges and Universities get off their hands and open the doors for these foreign-trained doctors to be able to perform. There is an opportunity today. We're asking for them to open the doors. You haven't done enough. We're asking for it; do it.

DON DUSENBURY

Mr Doug Galt (Northumberland): I rise in the House today to recognize a long-time volunteer and lung cancer survivor, Don Dusenbury, who was awarded the Canadian Cancer Society's medal of courage. The presentation was made in front of some 200 people at the Canadian Cancer Society's annual meeting in Toronto last Friday.

Mr Dusenbury has been an exemplary volunteer since 1988 and currently holds a variety of positions. Prominent among these are acting president of the Peterborough and district unit of the Canadian Cancer Society, which includes the Northumberland area. He has also been a strong advocate on anti-smoking issues, serving on various committees at the regional and provincial levels.

The Port Hope resident was nominated for the award for his work with Cancer Connection, where he assists newly diagnosed cancer patients through a telephone support service. New patients have the opportunity to talk with trained volunteers who have survived similar cancer experiences. Mr Dusenbury has personally helped more than 100 people through this organization.

What makes this community service all the more poignant is that for 15 years, Mr Dusenbury has battled lung cancer himself, and yet he has still been able to find time to help out others in the same situation.

Please join with me in recognizing the outstanding achievements of this Northumberland resident.

SPEAKER'S RULING

The Speaker (Hon Gary Carr): On Thursday, November 29, the member for Windsor-St Clair, Mr Duncan, raised a point of privilege concerning a portion of the 2001 Annual Report of the Provincial Auditor. The member made reference to the part of the Provincial Auditor's report relating to the Ministry of Transportation, and specifically to a recounting by the Provincial

Auditor of difficulties he and his staff had encountered in receiving documents from the ministry in the course of an audit of the road user safety program.

The member for Windsor-St Clair quoted pertinent portions from the Provincial Auditor's 2001 annual report in which the auditor recited the nature and substance of the difficulties encountered. The member alleged that by engaging in the conduct complained of by the Provincial Auditor, individuals employed by the Ministry of Transportation had perpetrated a contempt of the Legislative Assembly by frustrating one of its officers in the performance of his duties.

I've now had an opportunity to read the Provincial Auditor's report and to review the Hansard transcripts of the submissions made last Thursday by the member for Windsor-St Clair, the government House leader and the Minister of Transportation.

There can be no doubt that the Office of the Provincial Auditor faced obstacles in the course of its review of the Ministry of Transportation's road safety user program. In section 3.11 of the report, the Provincial Auditor recounts a number of behaviours on the part of the ministry that had an effect, in the auditor's own words, of limiting his ability to fulfill his legislated audited responsibilities.

This is a serious issue that must be of grave concern to all members of the House. As I said to the Legislature on May 18, 2000, in a similar context, "In official business dealings with an officer of this House, individuals owe an obligation of accountability to Parliament."

Having now referred to my ruling of May 18, 2000, which addressed a point of privilege concerning the very similar issues raised by the Information and Privacy Commissioner to those raised in the case of the Provincial Auditor, I would now like to make a connection between and a comparison of the two.

Both of these parliamentary officers, the Information and Privacy Commissioner and the Provincial Auditor, make remarkably similar claims concerning significant difficulties they encountered in discharging their respective functions, difficulties caused by the refusal of government employees to fully extend statutorily required co-operation to these officers. As the Provincial Auditor notes in his report, "...management of the safety and regulation division hindered the audit process and, despite repeated requests for access to original or supporting documentation, did not provide complete information for this audit." For her part, the Information and Privacy Commissioner similarly informed the Legislature of nearly identical obstacles in her review of a matter concerning the Ministry of Finance.

While these officers' reports to the House are importantly similar, they are, however, importantly divergent in one key aspect: the Information and Privacy Commissioner was compelled to tell the House that the result of the persistent obstacles she faced was to prevent her from drawing complete conclusions about many aspects of the investigation that was the subject of her report. As a result, the assembly failed to receive a full and definit-

ive accounting from her on this matter. Most significantly, although the commissioner strongly disputed the raising of these obstacles, the Ministry of Finance actively and persistently declined to rectify the matter.

In May 2000, the Information and Privacy Commissioner reported to the House that she was "unable to conduct a full and complete investigation." For that reason, I found that a *prima facie* case of contempt had been made out.

In contrast, the Provincial Auditor reports that he ultimately obtained the personal intervention of the current Minister of Transportation who, upon learning of the obstacles his officials were presenting, ordered their full co-operation, undertook to ensure that there would be no recurrence of the experience complained of by the Provincial Auditor, and went so far as to develop a code of conduct for the guidance of the ministry employees in their dealings with the Provincial Auditor. As a result, the Provincial Auditor was able to tell the House that despite all the circumstances working against him up to that point, "Based on the information we had received by the end of our audit field work, we were able to reach the conclusions outlined in section 3.11 of chapter 3."

I am persuaded that the Provincial Auditor was ultimately able to fully discharge his duties to the Legislature and, therefore, cannot find that a *prima facie* case of contempt has been established.

Clearly, this is a serious matter but one that, if I can put it this way, was happily resolved in the end. The gravity of the issue has obviously been grasped by the current Minister of Transportation, who has appropriately taken full responsibility for the activities of his ministry and its employees, and who acted to correct the deficiency and to ensure it will not recur. The Provincial Auditor himself noted in his recent report the "minister's commitment to take corrective action to facilitate the work of our office." He further stated, "We are confident that the commitments conveyed to us by the new minister and deputy minister will ensure that the access to information problems we encountered during this audit will not reoccur in future audits." I am hopeful that the auditor's confidence will prove to be well-founded and that no continuing, proactive or contemptuous disregard for his role as an officer of this House is to be found or will again surface in the Ministry of Transportation.

Members will know that I have been required to rule on several recent points raised with respect to government obstacles that officers of this House have faced. Independently, each of them, while significant, for the most part has fallen short of contempt. I do, however, want to say that collectively these occurrences cause me serious concern, and I would caution the government that I will be expecting unfettered and willing co-operation in the future with all officers of this House in their efforts to carry out their responsibilities.

I want to thank the House leader of the official opposition, the government House leader and the Minister of Transportation for their submissions.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Steve Gilchrist (Scarborough East): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 110, An Act to promote quality in the classroom.

The Speaker (Hon Gary Carr): Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1352 to 1357.

The Speaker: Mr Gilchrist has moved adoption of the report from the standing committee on general government regarding Bill 110.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Baird, John R.	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Sampson, Rob
Clark, Brad	Johnson, Bert	Snobelen, John
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Tsubouchi, David H.
Elliott, Brenda	Mazzilli, Frank	Turnbull, David
Galt, Doug	Miller, Norm	Wettlaufer, Wayne
Gilchrist, Steve	Molinari, Tina R.	Wilson, Jim
Gill, Raminder	Munro, Julia	Witmer, Elizabeth
Guzzo, Garry J.	Mushinski, Marilyn	Young, David
Hodgson, Chris	Newman, Dan	
Hudak, Tim	Ouellette, Jerry J.	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	Peters, Steve
Bartolucci, Rick	Curling, Alvin	Phillips, Gerry
Bisson, Gilles	Di Cocco, Caroline	Pupatello, Sandra
Bountrogianni, Marie	Duncan, Dwight	Ramsay, David
Bradley, James J.	Kormos, Peter	Ruprecht, Tony
Bryant, Michael	Kwinter, Monte	Sergio, Mario
Christopherson, David	Levac, David	Smitherman, George
Churley, Marilyn	Marchese, Rosario	
Conway, Sean	Martel, Shelley	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 43; the nays are 25.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated Monday, November 19, 2001, the bill is ordered for third reading.

Mr Gilchrist: I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table: Your committee begs to report the following bill as amended:

Bill 77, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of adoption disclosure / *Projet de loi 77, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.*

The Speaker: Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

Hon Dan Newman (Minister of Northern Development and Mines): On a point of order, Mr Speaker: I'd like you and all members of the Legislative Assembly to join me in welcoming two guests to the Legislature today. They are Councillor John Currie and Mr Randy Mosley from the town of Thessalon. Welcome.

Mr Gilchrist: Given the high output of the standing committee on general government, I am pleased to present another report from the standing committee on general government and move its adoption.

Clerk at the Table: Your committee begs to report the following bill as amended:

Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / *Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.*

The Speaker: Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1402 to 1407.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Baird, John R.	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Sampson, Rob
Clark, Brad	Johnson, Bert	Snobelen, John
Clement, Tony	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Turnbull, David
Gilchrist, Steve	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Mushinski, Marilyn	Witmer, Elizabeth
Hodgson, Chris	Newman, Dan	Wood, Bob
Hudak, Tim	Ouellette, Jerry J.	

The Speaker: Those opposed will please rise one at a time and be recognized by the Clerk.

Clerk of the House: The ayes are 44; the nays are 0.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated Monday, December 3, 2001, the bill is ordered for third reading.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek your guidance. Today in committee it was suggested that there had been agreement among the House leaders as to the process with respect to the presentation of this bill in committee and the referral of the bill from committee back to this House. There was no such agreement, sir. In fact, the official opposition voted against the time allocation motion.

My question is: if that assertion is made in committee, is it proper to bring it up here as a point of privilege, or is it more appropriate to bring it up in the committee itself?

The Speaker: I think the member has made his point. As you know, there isn't anything we can do. There are plenty of opportunities during third reading debate to outline your position on why you did such-and-such in a committee.

Mr Duncan: Mr Speaker, there really are no more opportunities to discuss this bill as a result of the draconian time allocation—

The Speaker: Thank you. I'm sure there is plenty of opportunity to outline your reason for that.

INTRODUCTION OF BILLS

EMERGENCY READINESS ACT, 2001

LOI DE 2001

SUR L'ÉTAT DE PRÉPARATION AUX SITUATIONS D'URGENCE

Mr Turnbull moved first reading of the following bill:

Bill 148, An Act to provide for declarations of death in certain circumstances and to amend the Emergency Plans Act / Projet de loi 148, Loi prévoyant la déclaration de décès dans certaines circonstances et modifiant la Loi sur les mesures d'urgence.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Hon David Turnbull (Solicitor General): In ministers' statements.

STATEMENTS BY THE MINISTRY AND RESPONSES

EMERGENCY PREPAREDNESS

Hon David Turnbull (Solicitor General): I'm pleased to rise in the House today to introduce the Emergency Readiness Act. In the wake of the terrible events of September 11, people everywhere have questioned whether their governments have the ability to deal with emergencies. Our government is taking immediate and concrete action to ensure this province and all its communities are prepared for emergencies, whether natural or human-caused.

We have made an ongoing commitment to further enhance the province's counterterrorism and emergency management capabilities. We have announced significant human and financial resources to improve Ontario's emergency preparedness. We will double the emergency management budget; provide enhanced training for firefighters, police and others who are first on the scene at emergencies; establish training for volunteer emergency response teams; work with the owners and operators of large buildings to develop evacuation procedures; and develop more specialized forensic capability in the Centre of Forensic Sciences and the Office of the Chief Coroner.

The new Emergency Readiness Act builds on this solid foundation. If passed, it would improve the ability of the province and its municipalities to deal with emergencies. It would introduce the most significant change to emergency preparedness in Ontario to date. Under the new act, all municipalities would be required to develop and implement emergency management programs. These programs would have to include emergency plans. All these plans would be submitted to EMO for review and safekeeping.

This legislation would also require that municipalities provide training and exercises for staff who deal with emergencies. This will ensure that during an emergency everyone knows how essential services are supplied and what procedures to follow. These activities would also outline steps to be taken during the recovery period.

The public needs to know what to do during an emergency. That's why this bill would require municipalities to conduct public education campaigns. We want to make sure citizens are aware of potential risks to public safety and are prepared for emergencies. Having a well-constructed plan, knowledgeable and trained responders and an educated and prepared public are only part of the strategy. If this act is passed, municipalities would be required to identify and assess sensitive and critical infrastructure in their communities.

I have spoken mainly of what the government is requiring of municipalities. Let me assure the House that we will place the same obligations on the province. By way of illustration, key ministries would be required to develop an emergency management plan, train crown employees, conduct exercises, educate workers and assess risks.

We have learned many lessons from the events of September 11. One of the most important priorities is the need to get help—physical, emotional and financial—to victims as quickly as possible. That's why this bill would empower the Lieutenant Governor, on the recommendation of the Attorney General, to temporarily suspend the operation of a limited number of legal provisions. This temporary power would apply only to those provisions that establish a limitation period, deal with benefits or compensation that would be payable as a result of the emergency or require payment of court fees. This temporary step would only be taken to provide assistance to victims or to help them and the public deal with the emergency and its aftermath.

We're also introducing the Declaration of Death Act. If passed, this would streamline the process for a number of legal proceedings in the unfortunate event that a person is presumed dead but no remains can be located. The Declaration of Death Act would allow a single application to be brought for all legal purposes. It would replace the existing requirement of separate court proceedings for each specific legal purpose, such as probating a will or claiming life insurance. This would significantly ease the burden on those who have lost loved ones in a tragedy.

In closing, let me emphasize that this government is working with municipalities to ensure public safety. By working together, we are making Ontario a safer place to live, work and raise a family.

The Speaker (Hon Gary Carr): Responses?

Mr Dave Levac (Brant): I rise with honour to speak on behalf of Dalton McGuinty and the Liberal caucus on the proposed legislation and the statement from the minister. I want to begin by expressing very clearly that there is no monopoly on any side on the concerns that have been raised since September 11. There is no monopoly on the ideas that need to be floated in order to secure the citizens of the province of Ontario. There is no monopoly on the care and concern we have all expressed about firefighters, police officers, paramedics and all those who worked in emergency circumstances on September 11 and those we speak of here in the province of Ontario. On behalf of Dalton McGuinty and the Liberal caucus, I want to express once again our gratitude and support for our firefighters, police officers, paramedics and those who protect us day in and day out.

Now to speak to the bill and to the concept that's been offered, I want to make sure the public understands that very shortly after September 11, Dalton McGuinty made some statements, requests and suggestions that I believe should have been acted upon. I wait with bated breath to read over the bill, as I just received it, before endorsement can be given without any question. Here are some of the ideas that were floated earlier that I think deserve credit and some consideration by the members on the other side.

Dalton came right out and immediately said, "Let us reconvene the Legislature's all-party committee on terrorism." That in itself was a recommendation to ensure that Dalton had an idea that was beyond party, that basically said there once was a committee in this Legislature that said we should collectively be looking at terrorism and working together to ensure the safety of the people of Ontario. I think that was a marvellous idea.

Inside that committee, we would look at the mandate to target terrorism in the United States and Canada, with specific references to chemical, biological, radiological, nuclear and cyber terrorism; the security of the TTC and the public transit of all the province; public utilities, including hydro and water; financial districts; and municipal systems and courthouses. I think that's a good idea. I don't think anyone in this House could say it's a bad idea that we reconvene that, but it hasn't been acted upon.

Another idea: intergovernmental co-operation in the fight against terrorism, including coordination between the OPP, local police forces and the RCMP, CSIS and provincial crown prosecutors.

Immediately meet with all the mayors of Ontario to review Ontario emergency preparedness. Hold an economic summit with business and labour leaders to get ideas from them as to whether we can be doing things better, in a way that opens up the concept that many people are affected by it.

1420

I also want to mention—whether this is bragging or not—a bill I introduced to this House on November 28, Bill 141, An Act to amend the Fire Protection and Prevention Act. I want to know if the members on the other side are aware of it and whether they would support it. It basically says the fire marshal must review all the plans that are put forward by municipalities, which are now shrinking their fire departments. Believe it or not, there are municipalities now that have only one person on a truck to go to a fire. I can imagine what would happen if they had to respond to a major issue. I say to you very clearly that this bill would eradicate that problem once and for all.

I would also bring to the attention of this House that we have concerns about providing municipalities with consistent standards for emergency plans and exercises. There's no mention of exactly how much money. We've had many announcements about how much money they're putting in. The city of Toronto alone would use up to \$2 million the Solicitor General is talking about. In the city of Toronto alone \$2 million is needed for fire-fighting services under Chief Speed's recommendation. The fact that \$2 million is spent on one city alone represents an awful lot, and it points to one idea we've floated and we keep hammering home that would be a response to this crisis; that is, the Ontario Liberal emergency fund. The Liberals have proposed \$100 million that would be spent, monies that have been allocated in other directions that are not being used; \$50 million alone would go to municipalities, and inside the \$50 million, municipalities can address their security and needs right across Ontario.

I would also say that the EMA requires municipalities and designated ministries to undertake a risk assessment of all their facilities. Well, guess what? Michael Bryant from St Paul's has offered that in the water situation he brought to the attention of this House many times, and it still hasn't been acted upon. Thank you, Michael, for bringing up that idea.

Dalton McGuinty himself was talking about the security of nuclear power plants—thank you very much, leader, for making sure that's taken care of—and it was laughed at.

I look forward to working with the minister on this bill. It's a good step forward, but we've got lots of work to do.

Mr Peter Kormos (Niagara Centre): I want to acknowledge the assistance provided to me by staff from

the Ministry of the Solicitor General and the Ministry of the Attorney General earlier today when they attended at my office and gave me a heads-up and indeed a briefing on the content of this legislation. I thank them for that. I thank them for their candour. They were straightforward in response to the questions I put to them. I tell you, it makes the process much more mutually beneficial—I speak of the process in this House.

Having said that, first I want to make it very clear that we should be very cautious, understanding full well that September 11 has prompted a reassessment of a whole lot of things about our organization, nationally, provincially, socially and culturally. We should be very careful not to respond with proposals like this as but responses to September 11. Surely we want to avoid the Eisenhower era of bomb shelters in every backyard as a result of the cultivation of a phobia or broadly spread fear of monsters that are real or, more dangerously, created by ourselves.

Second, all of us endorse the proposition that there should be adequate standards of emergency readiness in every community in this province—every community, large and small; every community, urban and rural. Reading the bill very quickly after it was presented to me, I put this to the Solicitor General in the context of the understanding that there is a significant amount of regulation that has to be drafted and remains to be drafted for this bill to have any impact whatsoever. Indeed, I was not advised of the time frame in which those regulations could be prepared, because I was advised there was going to be consultation, as there should be. One of my requests, indeed challenges, to the minister in the course of those consultations with municipalities is to ensure that not only large municipalities but small and indeed rural and remote municipalities are included.

There is a time frame, then, for communities to comply with the standards that are set by regulation. But here's where we get to the nub of the issue, and that is the capacity of communities to comply with what may very well be reasonable standards for emergency preparedness, and the reality that at the end of the day, it's going to be firefighters, police officers, paramedics and other front-line emergency services workers who have to respond to these crises.

Whether it is indeed some crisis as the result of an external force or power, or whether it's the roof of a public building or an arena collapsing because of a heavier than anticipated snowfall and an aging structure, if our police forces, firefighting services, paramedics and other front-line emergency services are not adequately equipped and adequately staffed, all the standards in the world mean zip, mean absolutely zero. At the end of the day, if they're not adequately equipped and adequately staffed, not only are they unable to do the job expected of them, but they can't do it safely in their own respect.

The paramount consideration in the development of the regulations and the consultation with communities has to be ensuring processes whereby this province can guarantee capital and ongoing funding to ensure the adequacy of those front-line emergency services to

ensure the safety of those front-line emergency workers and the effectiveness of the job they provide.

I want to speak very briefly to what I refer to, not facetiously, as the war measures provision. That is the power to suspend a provincial statute. I understand that there are some very rigid—it would appear in the bill—restrictions on what they are. It's the suspension of the Limitations Act, period. It's a suspension of filing fees and a court process. It's designed and required, according to the legislation as it stands, that the suspension be for a stated period of time, so as to facilitate victims seeking compensation and relatives of victims seeking compensation or relief.

This bill warrants and deserves some preliminary examination through the process of committee. It warrants some serious consideration in the view that its about the province's willingness to make it effective, and that means this House and this party will give it its due regard.

PRESS GALLERY CHARITY AUCTION

Mr Bradley: On a point of order, Mr Speaker: I know all members of the assembly would like to join me in congratulating the Queen's Park press gallery for undertaking a silent auction that raised this year an all-time record of over \$22,000 for the United Way of Greater Toronto—and permitted me to do some Christmas shopping.

DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

Hon Mrs Cunningham: On a point of order, Mr Speaker: I believe we have unanimous consent from members to wear white ribbons and rose buttons in the chamber in observance of national Day of Remembrance and Action on Violence Against Women.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Cunningham: I believe we also have unanimous consent for each party to speak for up to five minutes on the national day of remembrance.

The Speaker: Is there unanimous consent? Agreed.

Hon Mrs Cunningham: Today I stand in remembrance of 14 bright young women who were murdered for pursuing a goal most of us take for granted: that of getting a good education. That's what happened on December 6, 1989, when female engineering students were gunned down by a man who believed that their achievements, hopes and dreams somehow threatened his own.

The Montreal massacre cruelly demonstrated the destruction wrought when insidious attitudes about women are allowed to fester and grow unchecked.

As our nation grieved the loss of these wonderful young women, the pain was made all the more acute as we realized that these women could have been our daughters, our sisters, our neighbours and our friends.

Such a tragedy must never be repeated, and that is why December 6 has been declared a national Day of Remembrance and Action on Violence Against Women. On this day we stand united and we state unequivocally that violence against women and the attitudes that condone it have no place in this or any civilized society throughout the world.

Each one of us can make a difference by supporting women's right to choose their own paths and achieve their goals.

1430

While progress has been made in the 12 years since that terrible night, lingering attitudes persist because women continue to experience violence in all its forms every day. This is unacceptable. Our society has the responsibility to ensure women's safety and security, and to speak out against those who would use violence to control their lives.

Our government will not tolerate violence against women and we are committed to assisting women and their children to live free from violence. I know there are many groups and organizations right across our province that are working to do the same, not only women's organizations but men's groups as well.

When we take action to end violence against women, we honour the memory of those young women who died that terrible night. We know we cannot, indeed we must not, allow those who would use violence, intimidation and fear to prevail.

Remember December 6. Remember those women whose lives were so tragically cut short, and remember it is up to each one of us to make a difference.

Mrs Marie Bountrogianni (Hamilton Mountain): I rise in the House today to observe the national Day of Remembrance and Action on Violence Against Women. December 6 is a day on which we speak in memory of the 14 young women whose lives were ended by a lone gunman at École polytechnique in Montreal for one reason only: because they were women.

The tragic deaths of these bright young women have forced us as a community to take a long, hard look at ourselves and identify the values, attitudes and social structures that perpetuate hatred and violence against women.

As legislators, we have a responsibility for future generations to eliminate systemic violence against women through awareness and through legislative and institutional change. As legislators, we must accept the reality that violence against women does not know race, wealth or partisan lines.

Violent behaviour is largely learned. The key element to deterring violent behaviour is education. We must educate males at an early age that it is unacceptable to be violent against women. We must educate women at an early age to leave abusive relationships, and we must ensure there are services available to assist them once they leave. Education is the key to women securing real equality in Canada. Education is the key to preventing future incidents of violence against women.

Contrary to the opinions of the Ontario Progressive Conservative Campus Association, courses dealing with feminist and gender issues at the university level are necessary and are not a waste of taxpayer dollars. These courses teach our youth about the challenges and barriers facing women. These courses deal with the problem of violence against women, the very same issue that we, as legislators on all sides of the House, are so desperate to eradicate.

Moreover, the national Day of Remembrance and Action on Violence Against Women is not an "excuse to promote the feminist/extreme" left-wing agenda, as Professor Charles Rackoff and the Ontario provincial conservative campus association believe. These comments clearly illustrate that they have refused to acknowledge the fact that what happened on December 6 was the ultimate act of violence against women. This day of remembrance is a day for us to engage in dialogue on violence against women.

Today we are still talking about violence against women because, tragically, it still exists. In fact, in the Provincial Auditor's report, it was noted that 1,000 women last year were turned away from one shelter alone in Ontario. What we need is a coordinated plan of action. We need an effective plan where police departments, social services, women's shelters and public health departments work together in abuse situations. We need a plan like the domestic abuse intervention project in Duluth, Minnesota, commonly known as the Duluth model, with has been lauded as the best program in the world to combat domestic violence.

The 14 young women who were murdered on December 6, 1989, died in the midst of pursuing an education in engineering, a profession in which only 19% of students are female. These 14 young, bright women died during the most celebrated time in one's life: their youth, full of promise. I'm sure that we in this Legislature remember those years. It was a time when we, like these 14 young women, convinced ourselves that we were going to change the world, that we were invincible. These women were changing the world. These 14 bright women were enrolled in the program at a time when only 13% of the students in engineering were female.

The ancient Greeks stated that the definition of happiness is the pursuit of one's vocation along the lines of excellence. Before their lives came to an abrupt end, these 14 young women fit this description to the letter.

As legislators, we owe it to the young women murdered at L'École polytechnique to pursue our vocation along the very same lines of excellence. We owe these 14 young women our collective commitment that we will pursue the eradication of violence against women until all women across this province are safe. We owe this pursuit of excellence in our work to the memory of 14 young women whose lives were taken from their friends, their families and from society too soon.

Ms Marilyn Churley (Toronto-Danforth): Twelve years after a lone gunman armed with a semi-automatic rifle brutally killed 14 young women at Montreal's École

polytechnique, we mourn and we remember once again. Every December 6 since that horrifying day, I think of those bright young women bursting with promise, and every year since that time we remember in this Legislature.

Once again, this morning I attended a moving ceremony at Women's College Hospital, and along with 13 other women held a rose in my hand, each of us representing one of those young women who was murdered 12 years ago.

Today I held in my hand a rose to represent a symbol of the life of Sonia Pelletier. Every year I go through this ceremony, and every year I remember and think about these young women and their families and think about what they must be going through today. We can only imagine their pain and suffering.

I want to say that some of the mothers, fathers, families, friends and lovers of these women have become very active in strategies around stopping violence against women. So I think of their families and friends and how dark a day this must be for them.

We must always remember. I shudder when I try to imagine when that man walked into the Montreal classroom, shouting, "I want the women." He separated the men from the women, he ordered the men to leave and he lined the women up against an execution wall. "You are all feminists," he shouted, and he started to shoot them.

I think of that tragic day, and I lament the fact that 12 years later women are still the target of violence and hatred, sometimes because they are women who dare to speak out, sometimes simply because they are women.

I don't know if people here are aware of this, but a few years ago the World Bank did a survey, a study, and told us that the leading cause of death for women aged 15 to 44 worldwide is not cancer, not traffic accidents, not malaria; it's in fact male violence against women. Indeed, there are more women worldwide who die from male violence against women every year—I don't know if it's every year, but overall—than all of those other factors combined.

That's where I personally see an intersection between what happened to these 14 young women in Montreal 12 years ago and what happened on September 11, 2001, because I remember exactly where I was when I heard the news about these 14 women being murdered, and we will all have etched in our minds forever where we were when September 11 happened. The reason why they intersect is because the plight, the horror of the daily lives of women in Afghanistan became prominent in the news. We all know that the horror of what was happening to them was happening before September 11, but the western world saw fit, for their own reasons, to work with the Taliban, even knowing what was happening to these women, because it was in our interests. We turned our backs on these women—women and girls not allowed out of the house; no medical care, not allowed to get an education and go to school, lashed for apparent indiscretions and often stoned to death for apparent indiscretions. We hear stories about women being put in a

pit and an angry mob of men stoning these women to death, throwing stones at their heads. Horrible things are happening to women across the world.

1440

We here in Canada and North America are privileged in so many ways when you look at what's happening in other parts of the world. We must use that privilege and take it as a responsibility to those women who suffer so greatly across the world. We must also take responsibility to stop the violence against women here in Ontario. We must pay attention to the results of the Gillian Hadley inquest that's going on right now, as we must to the May-les inquest. We must take our privilege and we must become more responsible and do more as a society than we are doing now.

The Speaker: Would all members and our friends in the gallery please join and rise for a moment of silence.

The House observed a moment's silence.

The Speaker: I thank all members and our friends in the gallery.

ORAL QUESTIONS

DOCTOR SHORTAGE

Mrs Sandra Papatello (Windsor West): My question is for the associate minister of health. Patients in Toronto were delivered some very bad news today. They were told that their non-emergency surgeries were going to be on hold indefinitely. Elective surgery is not cosmetic surgery. It's things like cancer surgery, heart surgery, hip replacement, organ transplant—serious surgeries that our working families in Ontario need. But you weren't watching. Your ministry wasn't out looking on the horizon to see what was ahead and planning for us. You were too busy firing nurses and closing hospitals to determine what our future needs were going to be in this province. You have been at the helm now for going on seven years. It's very hard to remove yourself from this responsibility. So I ask you now, why are you letting Ontario's families down, that they cannot have the operations they need?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I'd like to thank the member opposite for the question and say that we're all concerned about physician shortages both here in Ontario and in fact all across the globe. There's an international shortage of anaesthetists all across the province. It really has nothing to do with funding. What we know is that in 1993 the previous NDP government actually cut the number of young doctors who could enter into the medical profession. If they had gone through a specialized program, they'd be graduating in 2000-01. So in effect, we have 75 fewer physicians coming through the university system. We have rectified that problem, but everyone knows that it takes time for doctors to come through the university system. We've moved to change

that. We've done a lot of other things with respect to doctors so that we can strengthen the number of doctors we have in the province.

Mrs Pupatello: Minister, your answer might have been acceptable almost seven years ago, but it's not acceptable today. Your government has been in office almost seven years. That's about as much time as it takes to graduate a doctor in this province. That's exactly the problem. Even then you knew it was a problem. There have been anaesthetist shortages outside of Toronto for many years, with hospitals sharing their services, moving them from small community to small community. Those are all canaries in the coal mine on this issue. You should have seen this coming. Dalton McGuinty put forward a plan last February that dealt with this issue.

Minister, it was your responsibility to follow up on good ideas, on good solutions, to resolve this problem of anaesthetist shortages in Ontario, and you did nothing. In fact, even today we are looking at what the answers could possibly be. You have been there for seven years. We are asking you now, what do you owe Ontarians? What do you owe them in the nature of getting their surgeries done in a timely fashion?

Hon Mrs Johns: The member opposite knows that about three years ago—actually, before the last election—I put forward a bill saying we should do something about health professionals. In fact, that was adopted as a Liberal policy, which I'm very grateful for. At that time, I talked about how we should take young doctors and have their tuition paid for if they went to underserved areas.

They say we haven't done anything, Mr Speaker, with respect to this. Let me tell you that we have expanded the capacity in our international medical graduate program from 24 to 50 positions each and every year. Of course, anaesthetists are one of those specialties that we're targeting, we're training. We're making sure that we look for those specialists to come here. We also have an assessment program for international medical graduates and we're training them so that they can come back as quickly as possible and become doctors in Ontario. We've done that also. To say we have done nothing is just false.

Mrs Pupatello: The official opposition, year after year and month after month, continues to address the issue of a shortage of physicians and specialists in Ontario. Previous health ministers have stood in this House—one is here today—saying clearly, "We will scour the earth far and wide looking for these specialists." She may well recall that statement; that was years ago. This government has been in office far too long, long enough to have found a solution to this problem. Dalton McGuinty's plan called for a permanent office for planning of human resources, in particular in the health area. You ignored it. You scoffed at his plan.

This minister today claims that she brought forward a private member's bill. She is in the government, and this government has not responded even to their backbenchers.

When will this government realize that you owe the people of Ontario the ability to get surgery in a timely fashion, not just specialists or anaesthetists, but across the board? You owe working families in Ontario today an answer. Why will seniors do without hip replacements? Why will kids do without kidney transplants? Why will people do without required surgeries?

Hon Mrs Johns: I think I've heard it all now when I've heard the member opposite talking today.

Let me say that we've done a lot of work to attract doctors in the province. In fact, she's very aware that under the George report, we created a medical school in the north and we also created an education facility in Windsor, in her own hometown, to make sure we could attract young doctors, bring them forward, get them trained as quickly as possible in the areas in which we want them to work. That includes specialists. This government has moved as quickly as possible as a result of the changes in 1993 by the NDP government to bring new doctors and new specialists to the province, especially young people but also people from international areas.

There's a shortage internationally in specialists, and especially in this specific area. We're doing our best to attract them. We'll continue to do that because we want high-quality doctors to service the people of Ontario. That's one of our objectives.

GOVERNMENT SPENDING

Mrs Sandra Pupatello (Windsor West): My question is for the Chair of Management Board. Minister, yesterday my leader, Dalton McGuinty, asked you where the axe was going to fall for this looming \$5-billion shortfall that you announced a couple of weeks ago. You listed three options. It was going to be expenditure controls, which is cuts to health and education; new revenue streams, which is taxes, gambling or new user fees; and privatization, which is private, two-tier health care.

Minister, will you stand up today and tell us exactly where you will be taking care of this looming \$5-billion shortfall that you spoke of?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): Speaker, I guess I could just refer you to Hansard from yesterday and that will give you their answer. However, I am pleased to repeat what I said. Certainly I was indicating that we had a possibility, a worst scenario, of a \$5-billion shortfall.

The government, in prudent fiscal planning, is going to approach it by looking at three possible ways: expenditure controls, new streams of revenue and the possible sale or privatization of assets. Nowhere did we ever speak about any cuts to health care. That's something in your mind, not ours. Certainly we on this side have a commitment to education and health care. Quite frankly, the problem right now is your cousins in Ottawa. You don't like to hear this, but back in 1974, they provided half the health costs in Ontario. Since then, it's leaked down to 14%. Disgraceful.

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Mrs Pupatello: Let me remind the Chair of Management Board of his quote: "There is a significant gap in the range of \$5 billion to close. That means cuts." That is what you said, and you said it to the media here at Queen's Park. We don't know if it's a game, if you're trying to lower expectations or what, but the people are scared because they know the cuts are coming. We want you to tell us what you're planning to do before the House rises and we're not here to question you on a daily basis about exactly what you've done with \$5 billion.

Here's what we know you've been discussing and is out there: a public sector wage freeze; delisting medical services like podiatry, chiropractics and more physiotherapy; more delays in the building of a safe drinking water infrastructure; a \$200-million cut to child care; and user fees in home care and medicine. All those are things that ministers in that cabinet have floated amongst the public. We want you to stand on your feet today and tell us—today, not when the House rises—where those cuts are going to happen.

Hon Mr Tsubouchi: If I could quote from yesterday's Hansard and apply this to the member asking the question, you have absolutely no idea what you're talking about. We're going through some very prudent business planning right now. These ideas being floated out here came from the minds of the Liberals and certainly not from us.

As she well knows, the problem since 1994 has clearly been the unfortunate unwillingness of the federal Liberal government, your cousins, to come to the table and provide the health care funding the people of Ontario deserve. It is disgraceful that they're only paying 14 cents of every dollar for health care. This government is paying 86 cents of every dollar. The problem here is that even though the funding by the Liberal government in Ottawa has increased, their commitment to health care has fallen by about \$400 million. That is disgraceful.

Mrs Pupatello: To the Chair of Management Board, it's interesting that you won't deny any of these things that have been advanced. You are having cabinet meeting after cabinet meeting with these items on your table, and the public has a right to know what to expect in cuts amounting to \$5 billion. Here is what we think: you can eliminate your \$2.2-billion corporate tax cut, you can eliminate your \$500 million to private schools. Those are things we're talking about, such as \$200 million in partisan advertising. The other things are the things that affect people. The Minister of Health is talking about home care user fees that affect the most frail and vulnerable in this province.

Minister, you have a responsibility to this House. We have five days before this House rises. We have a right to know where you will be taking \$5 billion out of the treasury. We expect an answer, and we expect to have the answer today.

Hon Mr Tsubouchi: In the very first part of the question, the member stated that the government is looking at three possible ways of dealing with this. First, of course,

are expenditure controls, second is looking at new revenue streams and third is the possible privatization of assets. I guess that in the third part of the question she forgot the other two parts of her first question.

Once again, we're looking at this in a prudent way. We're going to balance the budget this year. That's not a problem. What we're looking at is planning for the year 2002-03. This is a responsible way of looking at things for the people of Ontario.

But once again, I have to come down to where the main pressure is. This government has been fully committed to health care. We have spent a lot of money. We've increased the amount of health care funding, and we filled in the gap that was taken away by the federal government. I find it very unfortunate that you, the Liberals in Ontario, cannot pick up the phone, talk to Mr Chrétien and ask for more money on behalf of the people of Ontario. It is disgraceful.

VIOLENCE AGAINST WOMEN

Ms Marilyn Churley (Toronto-Danforth): I have a question for the Minister of Community and Social Services. Minister, the only thing you did last year to address the serious problem of violence against women was to introduce a domestic violence act which you won't proclaim into law.

You did two things this year. I acknowledge that you finally agreed to fund a province-wide crisis line after the request had been on your desk for three years, and you agreed to a few more shelter beds. But the lion's share of those shelter beds are in one region—your own region.

For the last year you have been sitting on a survey that shows women are being turned away from women's shelters in eight out of Ontario's nine regions. Minister, will you open up more shelter beds in the other eight regions? Will you re-fund second-stage housing and will you fund affordable housing again for women who are being abused in their homes?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): We recognize that violence against women continues to be a huge challenge for all of us, as citizens and at various levels of government.

In my time at the Ministry of Community and Social Services we've made it a huge priority. People came forward and said we could do more to help children who are witnesses to violence against women. We came forward with a new initiative last year: \$5 million.

People said we could do more to provide support to help women transition out of a shelter and back into the community. We came forward with an additional \$5-million initiative there.

Still again people said we could do more; the government listened and we acted. In the budget presented not four or five months ago we announced, not a few more beds, we announced 300 new shelter beds across the province. We announced that 136 beds would be refurb-

ished across the province. We announced an additional \$3 million, going to \$9 million, in operational support to provide counselling to complete the thing. I think that's a record increase over the last two years.

Ms Churley: Minister, 300 beds, when in one women's shelter alone they turned away a thousand women and children last year? You think that 300 beds is enough? This falls tragically short—

Interjection.

Ms Churley: And that's three too many.

Minister, I want to say to you that over a year ago, and you might remember this, a coalition of 165 women's groups came to this Legislature urging you to implement emergency measures to prevent more women from dying at the hands of their abusers. You refused to do it.

While those 165 women's groups were urging you to act, you sat on a survey that showed that battered women are shunted off to homeless shelters in eight out of nine regions in the province. This is a fact. It was in the auditor's report. Now, Minister, you could make a life-or-death difference to women by fully funding women's shelters and by getting back into the business of funding second-stage housing, women's centres and affordable housing. Will you do that?

Hon Mr Baird: I would indicate to the member opposite that I think we've got a record that we can be proud of if you look at the last two years, in addition to the huge amount of effort that my colleague the Attorney General has placed in expanding domestic violence courts and other services, such as the Office for Victims of Crime, in addition to the efforts conducted by the Ontario Women's Directorate and the Ministry of the Solicitor General.

Our ministry has come forward with substantial budget increases. I don't think that at any time in Ontario's history, in the course of two years, have we seen a greater increase in supports to help women who are fleeing domestic violence. Is it enough? No, I believe we could do more. That's why the budget will be increasing next year. We got a multi-year financial commitment both on the capital side and on the operating side, which is an acknowledgement that we cannot rest as long as one single woman is facing the fear of domestic violence.

When a woman gets home and puts the key in the door, that should be the sign of safety, not the sign of fear, and our government is committed to doing more to help eradicate domestic violence in the province of Ontario.

Ms Churley: Minister, that's my point. If you're following the inquests from the Gillian Hadley case and the May-Iles case—horrible stories—there are recommendations that have not been followed. Some 40 women die in Ontario every year from domestic violence. While women are dying, you're allowing waiting lists for counselling at women's shelters to swell. You quietly defund existing women's centres. You refuse to raise minimum wage, increase social assistance or do anything to ensure battered women have adequate income supports to leave their abusers. Women's shelters are turning

women away. That's a fact and you're letting it slide. You refuse to reinstate second-stage housing. You refuse to create new affordable housing so that abused women and their children have a place to go.

The coalition of women's groups told you we need a seamless, integrated system of supports for women and children to be able to leave their abuser. Minister, why are you continuing to ignore their advice?

Hon Mr Baird: I think we can be very proud of the huge progress we've made over the last two budgets, an unprecedented financial commitment to support violence-against-women initiatives in Ontario. People came forward after the budget. They welcomed the news; they welcomed the expansion of refurbished beds around the province; they welcomed the additional funding and the multi-year commitment to support counselling. But they said we could do more, and the answer was yes.

Following the release of the budget in May, we worked over the summer months with the member opposite's former colleague, the former member for Beaches-Woodbine, Frances Lankin, and a group trying to expand the Assaulted Women's Helpline. We're committed to spending more than \$4 million to help women, and particularly francophone women, across Ontario enjoy the services they've had in the city of Toronto for some time. I think that at the time the former member for Beaches-Woodbine said you should give the government credit where credit is due.

We're making solid progress and we are committed to continuing that progress in the coming years.

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ACADEMIC TESTING

Mr Rosario Marchese (Trinity-Spadina): My question is to the Minister of Education. Who is telling the truth about lost test results, you or the Education Quality and Accountability Office? Madam, I say to you, we spoke to a director at the EQAO this morning, and that person said, "We are still missing records for 14,000 students."

Interjection.

Mr Marchese: That's 1,400 students; I beg your pardon.

Yesterday I said to you that test results could not be found, and you said I was wrong. You said that "nothing has been lost." Today I tell you again that not only are test results missing, but so is the competence of this government and this ministry.

Minister, will you acknowledge what the EQAO has acknowledged today, that 1,400 test results are missing? Will you acknowledge that you don't know where they are, and that the EQAO says 1,400 test results are still missing?

Hon Janet Ecker (Minister of Education, Government House Leader): To the honourable member, as I clearly said yesterday, there have been data that were not scanned into the computer. Much of that is being put in manually. It does not interfere with the validity of the

board-wide results, the school-wide results. There have been some difficulties with their information technology for a portion of data, and that is being fixed. It does not in any way invalidate the results that are being put forward for boards and for schools, and the issue's being dealt with.

The importance of student testing is that it gives us the knowledge we need to make sure all our students are able to learn to the best of their ability. That's why we brought the new agency in. That's why we brought the student testing in. We are seeing, slowly but surely, improvements in student learning, and that's exactly what we all want to see.

Mr Marchese: Minister, what I'm saying to you is that your mismanagement has brought nothing but incredible paperwork for boards, incredible confusion, incredible chaos for everyone, which puts into doubt the validity of the testing; not only that, but it has brought a nightmare of a testing season in our school boards.

You refuse to admit that 1,400 test records are missing. The person we talked to says they're going to keep on looking. They will look until December 17, and if they still haven't found them, they will keep looking. It puts into doubt what you're doing in that office.

Will you admit you have a problem, will you admit these tests are missing, and will you bring back to those boards money they desperately need instead of putting it into this Education Quality and Accountability Office that is producing nothing but chaos for our students and our school boards?

Hon Mrs Ecker: Let us be very clear here. The only nightmare was the nightmare that was left in the curriculum after your government departed. We knew our students were not getting the knowledge and skills they needed. Despite the best efforts of teachers, parents and students, we knew they weren't getting what they needed. That's why we changed the curriculum; that's why we tested.

I find it quite appalling. The NDP government brought in the Royal Commission on Learning. All three parties supported it. It recommended a better curriculum to improve student learning and to have testing. That party supported it, the Liberals supported it and the Tory party supported it. We are putting it in place. Now, when the staff there are manually putting in data to make sure it's there, to make sure the results are valid, he wants to bail out on curriculum and he wants to bail out on testing. That is not the approach that is going to help our students learn better.

INTEGRATED JUSTICE PROJECT

Mr Bruce Crozier (Essex): My question is for the Chair of Management Board. The integrated justice project is accountable to a committee that represents the Management Board of Cabinet, the Attorney General, the corrections ministry and the Solicitor General. In 1998 total project costs were estimated to be \$180 million, which were to be recovered through estimated benefits of

\$326 million. As of March this year, the estimate of costs has risen to \$359 million, an increase of \$179 million or 99%. Recovery is estimated to be reduced to \$238 million, a decrease of \$88 million or 27%.

As the Chair of Management Board of Cabinet, the committee of cabinet responsible for the management of the public service and the operations of government, how could you possibly allow this obscene squandering of taxpayers' money, knowing the project will come over budget on cost and under budget on revenue?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): I refer this to the Solicitor General.

Hon David Turnbull (Solicitor General): Certainly we welcome the auditor's recommendations. We've already acted on many of the recommendations. The integrated justice project is transforming public safety and justice for the good of all Ontarians, but this is an initiative of absolutely unprecedented complexity. I'd like to read a quote from the auditor's report. It says, "No other jurisdictions had an integrated justice system in place that was as extensive as that envisioned in the project." Indeed, I must say the project is beginning to yield some very significant benefits in my own ministry.

Mr Crozier: Chair of Management Board, this minister has messed up the Ministry of Transportation and now, I guess, you've passed it to him to mess up the Solicitor General's ministry as well.

I too would like to quote from the auditor's report. It says: "We concluded that the requirement in the common purpose procurement policy that due diligence be performed to support the projections of costs and benefits in a business case was not adequately followed in the integrated justice project."

So I want to point my question. I repeat to you: you're going to squander over \$200 million of the taxpayers' money because it's coming in over cost on expenditures and under budget on revenue. How can you possibly defend this when you know in fact that it's not even going to be completed by the contract date of August 2002? How can you possibly defend that?

Hon Mr Turnbull: Let me make it clear that the private sector partner will only start to recover its investment when the new systems are delivered and implemented and the benefits start flowing. This is a very good deal for the taxpayers of Ontario and will yield us a much better justice system, with technology that is unavailable anywhere else in the world. But it is a first of its kind and there are a lot of very difficult hurdles one has to cross in developing such a broad system. Management Board Secretariat is certainly currently reviewing the common purpose procurement guidelines and has determined this is a very good project.

1510

FORD MOTOR COMPANY OF CANADA

Mr Garfield Dunlop (Simcoe North): It's great to see so many young people in the gallery today.

My question is for the Minister of Economic Development and Trade. We're talking about the auditor's report. I would have loved to have the minister comment on the federal auditor's report.

However, Minister, I would like to ask you about recent developments that have taken place at one of Ontario's automotive corporations. Ford Canada has been in the news a lot lately, from stories about just-in-time delivery problems coming out of the border clampdown after September 11 to news of their 0% financing incentive programs.

In the past week we have also read of the restructuring plans that are being formulated at company headquarters. A lot of people are concerned about how this plan will affect Ford's Ontario operations. Minister, could you please share with us what you have been hearing about the situation at Ford Motor Co?

Hon Robert W. Runciman (Minister of Economic Development and Trade): I want to thank the member from Simcoe North for the question. The auto industry in general is facing a tough time after 10 solid years of growth and expansion. All of the Big Three automakers have faced lower profits and loss of market share. Ford has also suffered difficulties stemming from the Firestone tire recall.

Our Ford plants here in Ontario are among the best. Just this week an article appeared in the London Free Press stating that Ford recognizes the St Thomas plant to be one of their most cost-effective and efficient plants. Ford is scheduled to unveil their restructuring plan early in the new year. We don't know yet how or if Ontario will be affected. These are challenging times, but our government continues to work to make Ontario an attractive place for businesses to invest.

Mr Dunlop: Thank you very much for that answer, Minister. The reports coming out of the automotive industry certainly haven't been very good lately. The auto industry is extremely important to our province, and we should all be very concerned about any report that's negative.

Minister, could you explain to the House what exactly our government has been doing to let Ford know that our province is open for business?

Hon Mr Runciman: Staff of the Ministry of Economic Development and Trade are in constant contact with the companies and Ford through our automotive sector experts. I personally wrote to the president of Ford Canada in September to express my concern over recent announcements from the company. On November 19, the Premier met with the president to discuss the company's current status. The Premier has also asked for a meeting with the CEO and president of automotive operations in Dearborn, Michigan.

It's our government's job to make sure the decision-makers at Ford are fully informed with respect to the benefits Ontario offers, the very attractive and competitive business climate developed in the past six years, and our plans for the future. I can assure the member that we are doing just that.

SPECIAL-NEEDS STUDENTS

Mr Gerard Kennedy (Parkdale-High Park): I have a question for the Minister of Education. I want to address the situation of special-needs children in this province, particularly as raised by the Provincial Auditor, who, as you know, made a report last week talking about how, even with all the paperwork that you require of these families and of the schools, you still are not in a position—after five years and four times measuring, counting, tabulating, piling up truckloads of paperwork, you still don't know whether or not special-needs students in this province are getting the assistance they need.

Minister, principals across the province tell us that they're spending hundreds of hours on this. The community is swamped. The agencies don't have the resources to meet the deadline; they don't have the number of staff to do assessments. You're spending huge amounts of scarce resources to fill in paperwork that the Provincial Auditor says doesn't do its job. You as the minister can't stand in the House today and tell us that people are being served.

Minister, all across the province they are groaning under the weight of this paperwork. Will you relieve this, Minister? Will you cancel at least the majority of the requirement you have for paperwork that does nothing except fill warehouses at the Ministry of Education, and help special-needs kids instead?

Hon Janet Ecker (Minister of Education, Government House Leader): That's not what the auditor said. The auditor said there needs to be more accountability, more data, more work done to get information so we can make good judgments about how the money that is in there for special needs is being effectively used. There's been a 17% increase in the last two or three years for special-needs funding. What the auditor said is that there is not enough accountability there.

We agree. That's why a year ago I started bringing in a new three-year plan to increase resources, to put in place standards that would allow parents and boards, the auditor, the ministry to start measuring how effective we are in supporting special-needs students. I agree that we don't have the data we need to make good program judgments. That's why we're taking the steps we are.

Secondly, a whole third of special-needs children don't have don't have support this year—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up.

Mr Kennedy: Minister, you should read the whole report. The auditor found that increasingly the classroom teachers are being consumed by paperwork. You may be proud that after five years and mountains and acres of documentation for the most needy kids in this province, you've tied up people in Kingston, Windsor, Toronto and Hamilton. They don't help these kids any more. Instead, they do your paperwork. The auditor of this province said that with all the paperwork you've required, you still don't know whether it's effective. He said that.

What he also said is that \$95 million has been spent by boards above and beyond what you give them for special education. That's roughly the amount of money being spent on paperwork. So I'm asking you, will you give back to the boards the amount of money you're making them spend uselessly on paperwork and make it available this year to the kids who have special needs, from whom you've been taking it away to fill in your useless forms and paper?

Hon Mrs Ecker: First of all, it's interesting that he says the auditor is claiming there's \$95 million more being spent on special education. That's a good thing. What is interesting is, that's not the number the Liberals claimed a year ago, but I guess they weren't paying attention to the information.

Let's be very clear: you're asking for paperwork to be scrapped. I guess that would be the individual education plan, where we plan for a student's education needs that year. I guess that's what the Liberals think should be scrapped. I guess the paperwork you would like to have scrapped is the paperwork that tells a school board they can get more money for students, they can get more resources to help their students. I guess that's paperwork the Liberal Party would like to have scrapped. We also have boards that have to have special-needs plans out there, so parents know what should be offered. I guess the Liberal Party would like that scrapped.

What we want in our schools in this province are good-quality programs—

The Speaker: I'm afraid the time is up.

SOFTWOOD LUMBER

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Natural Resources.

Interjection: He's a fine minister.

Mr Miller: A very fine minister. We know the forestry industry is extremely important to Ontario's economy and especially the economy of the north. For the past few months, talks have been going on between the federal government and the United States on the issue of softwood exports.

I understand that Ontario's forest industry has been very helpful in providing valuable advice to you and Minister Runciman on this issue. Minister, can you tell me what position Ontario is taking during these discussions?

Hon John Snobelen (Minister of Natural Resources): I thank the member for Parry Sound-Muskoka for the question, because it's an important matter, not just for people in northern Ontario but for a lot of people in southern Ontario who make their living out of our forest industry on the production side, the manufacturing side or the transportation side. It's a very important issue.

I said, when the softwood lumber agreement expired a few years ago, that this could be good news for Ontario, because that agreement was never fair, it was never free trade and it was never good for Ontario industry. As you know, Mr Speaker, regrettably there have been interim

measures applied to our forestry products as they're exported to United States markets. But Ontario has been firm on this position for the last two years. We've been firm with our colleagues in other provinces, and we've communicated with Minister Pettigrew repeatedly that we believe in free trade and that only a free trade agreement will do.

Mr Miller: Thank you for answering that frequently asked question, Minister. I'm glad to see that Ontario is listening to its key stakeholders on this issue. Free trade and long-term market access for Ontario's softwood lumber is only fair. There have been some misleading reports stemming from very uninformed people that Ontario is subsidizing the forestry industry in Ontario.

Minister, can you clarify whether or not the province subsidizes the forestry industry?

Hon Mr Snobelen: In fact, Ontario does not subsidize its forest industry. That has been proven in three previous subsidy investigations. The United States has failed to make their case all three times. Ontario simply does not subsidize its forest industry. In fact, our stumpage charges allow us to regenerate the forest properly, to have renewable forest practices in the province, practices that we are proud of and that we have shared globally.

1520

WORKPLACE FATALITIES

Mr Peter Kormos (Niagara Centre): To the Minister of Labour: At 6:10 am this morning in Hamilton, Ontario, another worker was killed on the job. He had spent 34 years at the steel company. Early this morning, before the sun even came up, he was crushed to death. It's a tragedy, and I know you agree with me about that.

A few moments ago I made a commitment to you that I would participate and ensure expeditious passage of Bill 145 so that your ministry could investigate these deaths and other workplace accidents more effectively. I'm asking you now to make a commitment to workers. Will you please direct employers to post information, clear and easy to read and in various languages, telling workers, particularly in non-union shops, that the law guarantees their right to refuse dangerous work without penalty by the boss, by the employer? Will you commit to that and save lives?

Hon Chris Stockwell (Minister of Labour): Sure.

Mr Kormos: Minister, I appreciate your response. The fact is, there is the worker this morning, a couple of weeks ago a 44-year-old worker in Niagara, before that Robyn Lafleur, 37 years old—we've talked about that young woman. The number of people who die a violent death in the workplace each year in Ontario remarkably is greater than the number of people killed by drunk drivers in every province in Canada save one. We've all made a commitment to doing everything we can to prevent deaths from drunk driving. So I appreciate your response and I want you to indicate in this House today that we are going to do the same thing here.

You passed a law telling bosses they can post information telling workers how to decertify. If you can do that, we can post clear messages in every workplace telling workers they've got the right to refuse unsafe work. In view of your response to the first question, and I take you at your word, when and in what time frame can we expect that to be implemented as a policy and that to be in place in every workplace in this province?

Hon Mr Stockwell: To answer the question very directly, I'm not certain that isn't an obligation upon an employer today. If it is not an obligation—and I can only speak off the top of my head, but I believe it may be—I will undertake to get that information posted in every workplace as quickly as humanly possible.

SCHOOL CLOSURES

Mr James J. Bradley (St Catharines): I have a question for the Minister of Education. Minister, as you are aware, around this province there are a number of schools in older neighbourhoods that are closing, and that includes my own city of St Catharines, where Consolidated, Victoria, Maplewood and Lakebreeze appear to be under the gun and appear to be the schools now that are going to be closed in St Catharines. You would recognize, I think, that the smaller neighbourhood schools have a lot of advantages. The children are closer to the school. In inclement weather that's much better for them. Their personal safety is much better assured when they're close to the school. They're located in the neighbourhood; they're able to participate in extracurricular activities much more easily. The teaching and non-teaching staff in the smaller schools tend to know the students better, on a more intimate basis. The schools are used, in fact, for community centres and the school grounds are used for sports and recreational activities. The savings from closing these schools are really rather minor compared to the assets that they are to the community.

Minister, the real problem appears to be the funding formula, a very rigid funding formula that you apply to boards of education which really compels them to close schools and what amounts to a bounty on the older schools, because that's where they get the money to build newer schools. Will you now undertake to review your funding formula with a view to making it more flexible so that we can retain those older, smaller neighbourhood schools?

Hon Janet Ecker (Minister of Education, Government House Leader): Every year we review what is happening, if there are problems, do we need to fix problems in the formula. One of the things that we've asked school boards to do is to provide us with additional information on the facilities survey to talk to them about school accommodation. That information has come in and will be guiding future decisions.

The other thing I think we should be very clear about is that the formula doesn't say, "Small schools bad, big schools good." That's not what the formula says. What the funding support for boards does is it encourages them

to plan over a 10- and 20-year horizon to look down the road at what's happening in neighbourhoods, to make good decisions. The law requires them to consult with the community to make sure they're making good decisions, and school boards have always had the very difficult but very necessary responsibility of allocating school space.

Mr Bradley: It's my understanding that 100% of the schools must be filled in your formula before school boards are eligible to get money for the construction of new schools. That money really amounts to the servicing of the debt, because they have to go out and borrow the money on their own, and you provide some interest on the debt. I think that's the way it works.

Also I want to say that we have a situation in the Niagara board where we don't get that special grant for rural schools. I guess the point I'm making is there's a great deal of pressure on the Niagara board, a lot of it resulting from your policies and your funding formula, which militates in favour of closing more schools than would normally be the case.

I ask the minister if she would undertake that immediate review so that the schools I have mentioned—Consolidated, Victoria, Maplewood and Lakebreeze and others that are presently under the gun—are not required to be closed, so that the children who attend those schools can continue to enjoy the benefits of them and the community can enjoy the benefits of the building and the school grounds.

Hon Mrs Ecker: As I already said to the honourable member, we do a review every year in terms of the formula, in terms of the monies that are available and the results that we're getting from that. Second, we fund school construction in this province. We provide money from the taxpayers of Ontario to build new schools and to renovate old schools. The difficult decisions that school board trustees have to make, and they've always been difficult decisions to decide—some schools may be less than half full. Some schools may not be able to—the building may be very old; they may need to build a new building. That may be a better use of their school space, may be better for the kids; offer better programming. All of those kinds of decisions are for the school board trustees to make. They're elected by the local community. The law says they must consult.

I appreciate the honourable member's concern. I hope that he will assist the parents to make sure their concerns are with the school board. I've seen many boards, based on that consultation, revise their accommodation plans for a community.

OCCUPATIONAL HEALTH AND SAFETY

Mr Doug Galt (Northumberland): My job question is directed to the Minister of Labour. I know that this government continues to take the safety of workers very seriously. We're committed to ensuring that all workers, including young workers, are free from workplace injury and illness. I know you will agree that any injury to a young worker is unacceptable, and we must continue to

work together to help young workers be aware of what the risks are and to teach them about what they can do to ensure health and safety in the workplace.

Minister, what are you doing to help protect young people from getting hurt or dying on the job?

Hon Chris Stockwell (Minister of Labour): That was an obviously penetrating and insightful question the member asked.

I'm glad to see the member for Toronto Centre-Rosedale is here again. He always makes my day.

Obviously everyone takes this very seriously. The member for Welland asked the question just a moment ago about workplace safety. It's a non-partisan issue. Everyone wants to make sure that when you go to work you come home, and every party I think is in favour of most of the recommendations and initiatives that have been put forward by any government.

We believe strongly in the teaching aspect as well. Certainly my friends Gary Stewart from Peterborough and Jerry Ouellette from Oshawa have programs in their communities to teach children at school how to work safe.

We're the government that put it into the curriculum—grades 9 and 10 are learning about it; it's moving on to grades 11 and 12—how to work safe. It's something that we're very committed to, it's something that we all believe in and it's something that we've provided funding for, thanks to the many parents who've had these tragedies affect them who've come forward and volunteered their time to help protect future workers.

1530

Mr Galt: Thank you very much, Minister, for the response. To have a nice slogan like "Work Safe" is great, but that doesn't necessarily protect. Often we hear from opposition members about how they want to have more powers for our inspectors. Just this morning we were debating a bill on puppy mills and they wanted to have the power to enter premises without a warrant.

You recently introduced Bill 145, the Inco bill, and it provides for increased powers for inspectors to collect evidence. I expect that again the opposition will want to support this. I was particularly interested a couple of questions ago to hear the NDP House leader indicating support for Bill 145, the bill that you introduced, so I would expect this could pass by Christmas. Minister, where is this bill and is there any possibility, with support from the opposition parties, that this bill will in fact be law by the end of this session?

Hon Mr Stockwell: Let me go on record and say that both the Liberals and the NDP have been nothing but co-operative with respect to Bill 145. They understand the gravity of the situation with respect to inspectors having the ability to inspect. I personally would like to thank my caucus, which very quickly processed it through the processes we go through in getting a bill to this House; I want to thank the Liberal caucus for their support and agreement to pass this; I want to thank the NDP caucus and the member from Welland for his support and agreement to pass it.

The bill simply does this: when there is a tragedy, an accident or a fatality at a workplace, our inspector goes in and inspects and gathers information. A court ruling recently did not allow them to gather this information without a search warrant. This bill allows them to get that search warrant to get that information.

This is one of those times when the House has worked together to provide protection for workers. We should all be very proud of ourselves that we can set politics aside to protect those people who go out to work every day in this province.

HIGHWAY 407

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Transportation. The 407 owners continue to rip off the public. They've just announced their fourth increase in tolls in the last 27 months. Coming January 1, it will go up again. There used to be kind of a rush hour expensive toll, but now the rush hour has been extended to 24 hours a day, seven days a week.

When you announced the sale of this, you made a promise to the people of Ontario that tolls would go up in total, over 15 years, three cents a kilometre. They've already in many cases gone up eight cents a kilometre. Now the owner is telling the public, "If you don't pay these tolls, come 2002 you're not going to be able to renew your licence plate." My question is this: this is supposed to be a private sector deal. Why in the world is the province of Ontario acting as a strong-arm collection agency for the 407 owners?

Hon Brad Clark (Minister of Transportation): I'd like to thank the honourable member for his question. I'd like to state for the record that clearly at this particular point in time, everyone points to Highway 407 as a huge success story. As a matter of fact, when the Liberals opposite were having their big powwow down in Niagara-on-the-Lake, they brought down people like Donald Macdonald, the former federal finance minister under the Liberal government federally. He stated, "Highway 407 in the greater Toronto area is an example of a good public and private sector partnership." The Honourable David Collenette, federal transportation minister, stated, "Public-private partnerships represent an excellent way to get more value for taxpayers' dollars."

The member complains that the tolls are too high. In San Joaquin the toll is 16 cents a kilometre, in Foothill it's 15 cents, Eastern is 24.9 cents and SR-91 is 40 cents. Quite clearly, the tolls in Ontario on Highway 407 are consistent with any brand new urban-built highway.

Mr Phillips: It wasn't me who said tolls may go up in total after 15 years by three cents a kilometre. That wasn't me. That wasn't the opposition. That was Mike Harris who said that. That's what he put out when he said, "We're really proud of this deal. We're going to protect the consumer." The 407 users are being ripped off. This organization takes prices up four times in 27

months and you're asleep at the switch. You're letting them do it, for heaven's sakes.

Again, I say to you, Mike Harris promised three cents a kilometre after 15 years. These guys take these tolls up, in some cases, eight cents a kilometre, and you're the strong-arm collection agency. You're in bed with them, because if you don't pay these exorbitant tolls, you can't get your licence back. You're the big strong-arm collection agency for these guys. I thought you were the private sector guys who were going to leave this to the private sector.

Why don't you go over to the 407 owner and say, "Listen, we promised you wouldn't take these tolls up more than three cents after 15 years. You've violated the contract, and we're not going to be your strong-arm collection agency"? Will you do that for the 407 users, Minister?

Hon Mr Clark: I want to thank the member for the question, and I would suggest to the member that perhaps he pay attention. There are over 300,000 vehicles using Highway 407 daily. There are 479 transponders on the road. If the member believes that the tolls are so excessive that no one wants to drive the highway, then how can he explain the cars that are on the road—79 million trips in a year? The member doesn't make any sense at all.

Clearly, the highway is a huge success. If the member was saying that these tolls were so excessive, nobody would be driving on the highway. But they are. The only one who's opposed to it is the Liberal Party.

Let me state very clearly that Mr McGuinty is the gentleman who says very clearly his party has to get a handle on private-public partnerships because they haven't looked into it yet.

The highway is a success. Consumers vote with their wheels.

HAZARDOUS WASTE

Ms Marilyn Mushinski (Scarborough Centre): My question is for the Minister of the Environment. Minister, many of my constituents are delighted that our government has had the intestinal fortitude to bring a bill to protect the Oak Ridges moraine, and they also recognize that we as a government have created more public parks than any other jurisdiction in the world. So they get very concerned when they hear reports about alleged increases of hazardous waste being imported into the province from the United States.

Although the federal government is responsible for regulating the flow of waste across the border, Minister, could you please tell us what our government is doing to deter this traffic?

Hon Elizabeth Witmer (Minister of the Environment): Regarding the issue of hazardous waste, unfortunately some of the media reports recently have been incomplete. If you take a look at the data that has been released by Environment Canada in August 2001, you will see that between 1999 and 2000, the imports of

hazardous waste into Canada have decreased by 30%. Now, if we take that into the province of Ontario, we would see that during that same time period, the hazardous wastes have decreased into this province by 35%.

I am very pleased that as a result of the very strict new amendments that we have introduced to strengthen our hazardous waste framework, we now have the toughest framework in the history of this province.

Ms Mushinski: I'm particularly pleased to hear that we're taking those necessary steps. They certainly seem to conflict with some of the alleged reports that I spoke about in my first question.

The reduced traffic of hazardous waste into Ontario seems to indicate that we are deterring US companies from sending their hazardous waste for disposal, Minister, but what have we done, or have we done enough, to regulate the disposal of hazardous waste in Ontario, and is there more that we can actually do?

Hon Mrs Witmer: I'm very pleased to say that as a result of the actions we've already taken this past year, our regulations are now much more compatible with the United States, and as a result, we are seeing less movement into our province; however, we are not done. There is more to be done, and I plan to introduce within the next couple of weeks further recommendations which will lead to the pre-treatment of hazardous waste in this province.

DOCTOR SHORTAGE

Ms Shelley Martel (Nickel Belt): I have a question for the associate minister of health. Minister, as many as eight Toronto operating rooms are set to close because of a shortage of anaesthetists. You have a new program, the international medical graduate assessment program, which could be used to increase the number of specialists, but unless you change the criteria for this program, it won't work to deal with shortages in this speciality or any other.

1540

Dr Koka of Sudbury, who is a foreign-trained graduate himself, has written to your ministry and asked you to do the following: remove the clause that requires applicants to have been in active clinical practice in the last three years; remove the requirement that applicants must have passed the LMCC part I examination to apply; permit specialists from the UK, Ireland, South Africa and Australia to apply; include other shortage specialties in the program; and, finally, ensure that applicants will be paid during the six-month assessment program.

Minister, will you make these important changes to ensure that recruitment of specialists will work and that we will be able to use the expertise of those foreign-trained graduates who live in Ontario but have been unable to practise in this province to date?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): We've made some great commitments to move forward with the international medical graduate program, which is what I be-

lieve the member opposite was speaking about. I stated earlier with respect to this that we were moving from 24 to 50 positions each year. We of course work very closely with the College of Physicians and Surgeons to ensure that this program works well in the province. We've chosen specific specialties so that we can get people to come forward.

I understand there are a number of steps that people have to incur before they move forward with this program. But we also have to be very careful that we have the right people with the right expertise who we say can be doctors in this province. We want qualified doctors; we want doctors who have worked recently in the past at the profession of doctoring. From our perspective, we have to keep high qualifications to ensure that we protect—

The Speaker (Hon Gary Carr): The minister's time is up. Supplementary?

Ms Martel: We all agree with that, but it's physicians themselves in Ontario who are calling on you to make changes to this program so it will work.

A second physician, Dr Robert Williams, who is the former chief of staff at the Timmins and District Hospital and who has been involved in recruitment for many years, has also written to you to express concerns. They are the same. He is concerned that you are banning specialists from the UK, Australia, Ireland and South Africa from applying; he is concerned that you are requiring that applicants must have passed the LMCC exam, part I; he is concerned that the program is limited to only certain specialties. He's also concerned that suggestions that came from the College of Physicians and Surgeons about this program have not been accepted by your ministry, and, finally, that there is no mechanism for northern communities to sponsor applicants so that we can be sure those successful graduates will come to underserved areas in the north to practise.

So I ask you again, Minister, because we want this program to work too and we want qualified specialists: will you accept the advice of Ontario physicians, some of them foreign-trained, who practise here and who are calling on you to make the changes to be sure that we will be able to recruit and that we will be able to use the expertise of foreign graduates who are in Ontario now who have been unable to practise to this point?

Hon Mrs Johns: With the caveat that we're always trying to provide the best-quality services to the people of Ontario, and we intend to do that with any program we have, we're always happy to look to see that the program is fulfilling the needs that it was originally intended to do. So from that perspective, if we haven't got the 50 positions that we said we would, I'm happy to look and see if there's something the member opposite and myself can do to be able to make this program work more effectively.

I have to say that there has been a lot of work done by a number of different reports that has brought us to these qualifications. But in the spirit of today, I'm going to say I'm happy to work with the member opposite. I'm happy to have a look at it. I'm happy to see if there's anything

we can do, because we all want to make sure that we have the right human resources in the province, and next week I'll get together with the member opposite and we'll have a look at it.

Hon Chris Stockwell (Minister of Labour): On a point of order, Mr Speaker: I seek unanimous consent of the House to move second and third reading of Bill 145, An Act to amend the Occupational Health and Safety Act, and to have the questions put immediately, without debate or amendment.

The Speaker: Is there unanimous consent? Agreed.

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Mr Stockwell moved second reading of the following bill:

Bill 145, An Act to amend the Occupational Health and Safety Act.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Stockwell moved third reading of the following bill:

Bill 145, An Act to amend the Occupational Health and Safety Act.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PETITIONS

NURSES

Mr James J. Bradley (St Catharines): I have a petition that's addressed to the Legislative Assembly of Ontario:

"Whereas the nurses of Ontario are seeking relief from heavy workloads, which have contributed to unsafe conditions for patients and have increased the risk of injury to nurses; and

"Whereas there is a chronic nursing shortage in Ontario; and

"Whereas the Ontario government has failed to live up to its commitment to provide safe, high-quality care for patients;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Ontario government take positive action to ensure that our communities have enough nursing staff to provide patients with the care they need. The Ontario government must:

"Ensure wages and benefits are competitive and value all nurses for their dedication and commitment; ensure

there are full-time and regular part-time jobs available for nurses in hospitals, nursing homes and the community; ensure government revenues fund health care, not tax cuts; ensure front-line nurses play a key role in health reform decisions."

I affix my signature. I'm in complete agreement with this petition.

TRANSIT SERVICES

Ms Marilyn Churley (Toronto-Danforth): I have hundreds of signatures on these petitions from all across the Toronto area:

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has ceased to fund municipal transit systems, and whereas today as much as 85% of operating revenues come from the fare box; and

"Whereas a properly funded public transit system can mitigate the effects of global warming, traffic gridlock, poor air quality and smog alert days; and

"Whereas a recent study linked air pollution to the premature death of 1,000 persons per year in Toronto; and further

"Whereas several provinces, namely BC and Quebec, already fund transit from vehicle fuel taxes,

"We, the undersigned, petition the Legislative Assembly of Ontario to enact legislation forthwith that would fund public transit, dollar for dollar, from existing vehicular fuel taxes for both operation and expansion of public transit across Ontario."

I will affix my signature because I'm in complete agreement.

CRUELTY TO ANIMALS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

Mr James J. Bradley (St Catharines): I have a petition to the Legislative Assembly of Ontario:

"Whereas puppy mills and other cruel animal breeding activities are unregulated and unlicensed in the province of Ontario;

"Whereas the Ontario SPCA needs more power to inspect and control animal kennels or breeders;

"Whereas Ontario consumers have no way of knowing if the animals they purchase as pets have been abused;

"Whereas there are no provincial penalties to punish people guilty of abusing animals that are bred and sold to unsuspecting consumers;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass legislation that outlaws puppy mills and other cruel animal breeding activities, and that strengthens the powers of the Ontario SPCA to establish a provincial registry of kennels and breeders subject to SPCA inspection, and to allow the SPCA to impose fines and jail terms on those found guilty of perpetrating cruelty to animals for the purpose of selling these animals to an unsuspecting public."

I affix my signature. I'm in full agreement.

1550

CHILD CARE

Mr Peter Kormos (Niagara Centre): I have a petition from the children at West Creek SchoolHouse PlayCare from Pickering.

"To the Legislative Assembly of Ontario:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%;

"The same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"The Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"The Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program;

"The need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

That's signed by Victor, seven years old; Amber, seven years old; Kiera, eight years old; David, nine years old; André, seven years old; and many other youngsters. I have signed it as well.

CRUELTY TO ANIMALS

Ms Marilyn Mushinski (Scarborough Centre): I have a further petition addressed to the Legislature Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I'm pleased to affix my signature to this petition.

HEALTH CARE FUNDING

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario:

"Whereas Health Canada approved Visudyne on June 1, 2000, as therapy for the treatment of wet form age-related macular degeneration. However OHIP does not yet pay for the procedure and it has not been added to the Ontario drug plan formulary;

"Whereas the provinces of Quebec, British Columbia, Alberta, Saskatchewan, Manitoba and Nova Scotia have already added Visudyne to their provincial drug plans;

"Whereas clinical trials have demonstrated that this treatment safely and effectively stabilizes loss in 67% of patients and improves visual acuity in 13% of patients;

"Whereas patients requiring therapy using Visudyne face a cost of \$1,750 for the drug and \$750 for the clinician procedural fees each time therapy is administered, and to complete a full therapy cycle, a patient would be required to pay \$15,000 to preserve his or her sight; and

"Whereas the Ministry of Health was to make a decision on Visudyne treatment at the end of February 2001;

"Let it be resolved that the Ministry of Health immediately approve and add Visudyne treatments to the Ontario drug plan formulary to assist those suffering with macular degeneration."

I affix my signature. I'm in full agreement.

CHILD CARE

Mr Peter Kormos (Niagara Centre): I have a petition sent from Today's Family, formerly Seven Towers Family Day Care centre, in Hamilton to Shelley Martel and it reads:

"To the Legislative Assembly of Ontario:

"Whereas an internal government document indicates the Conservative government is considering cutting the regulated child care budget by at least 40%;

"The same internal document indicates the government is also completely cutting all funding for regulated child care and family resource programs in Ontario;

"The Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Further cuts would run counter to the support identified through regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

"The Conservative government received \$114 million this year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

"Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Other provinces are implementing innovative, affordable and accessible child care programs such as Quebec's \$5-a-day child care program;

"The need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government's mandate. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care."

I have signed that and join the thousands of others who have signed it from Hamilton and Hamilton area.

EDUCATION FUNDING

Mr James J. Bradley (St Catharines): This petition is to the Legislative Assembly of Ontario.

"Whereas the Harris government's rigid education funding formula is forcing the potential closure of neighbourhood schools such as Consolidated, Dalewood, Lakebreeze, Maplewood and Victoria in the city of St Catharines, and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that larger schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships;

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as an important meeting area for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature as I'm in agreement with the petition.

CHILD CARE

Mr Peter Kormos (Niagara Centre): I have a petition that was sent to Shelley Martel by the Syme-Woolner Neighbourhood and Family Centre on Jane Street in Toronto and it reads:

"To the Legislative Assembly of Ontario:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%;

"The same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"The Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"The Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Other provinces are implementing innovative, affordable and accessible child care programs such as Quebec's \$5-a-day child care program;

"The need for affordable, accessible, regulated child care and family resources continues to grow in Ontario,

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

I have affixed my signature, and I cede to Mr Bradley.

The Deputy Speaker (Mr David Christopherson): Actually, it's going to go to the member for Scarborough Centre.

1600

CRUELTY TO ANIMALS

Ms Marilyn Mushinski (Scarborough Centre): I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I am pleased to give this to Graydon of Haliburton-Victoria-Brock and I am pleased to affix my signature to this petition.

BUSINESS OF THE HOUSE

Hon Janet Ecker (Minister of Education, Government House Leader): Pursuant to standing order 55, I have a statement of business of the House for the week of December 10.

Monday afternoon we will continue debate on Bill 130; business for Monday evening through to Wednesday afternoon is still to be determined.

Thursday morning, during private members' business, we will discuss ballot item number 39, standing in the name of Mr Wettlaufer, and ballot item number 40, standing in the name of Mr Peters; Thursday afternoon's business is still to be determined.

ORDERS OF THE DAY

COMMUNITY CARE ACCESS CORPORATIONS ACT, 2001

LOI DE 2001 SUR LES SOCIÉTÉS D'ACCÈS AUX SOINS COMMUNAUTAIRES

Resuming the debate adjourned on November 9, 2001, on the motion for second reading of Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

The Deputy Speaker (Mr David Christopherson): It's my understanding that the debate is now with the government.

Hon R. Gary Stewart (Minister without Portfolio): It is my pleasure to speak to the Community Care Access Corporations Act, 2001.

The reason I'm pleased to speak to this is because I'm a great believer that once you put it in legislation and once you start something, you must go back, on a fairly regular basis, and reassess it, look at it, make sure that it's working well, make sure that it's working right. If it is not, then do the necessary reviews to make sure that it is. This is what has happened. This is why this act is being introduced.

I want to compliment the associate minister of health, the Honourable Helen Johns, for her initiative in getting a review under way—let me say, an arm's-length review—where they could take an objective look at what was going on in the CCACs, how well they were working, to make sure that they were doing exactly what they were designed to do some three or four years ago. Up until this particular time, until this 18-month review had been done, they had not been looked at, other than internally within their own organizations.

What Ontario and what we as a government want to make sure is that we have a very strong system where people who require the service, whether they are elderly, medically fragile children, people with disabilities or those who are chronically ill, are able to remain in the comfort of their home as long as possible. We must make sure that the particular supports and the support system is in place to make sure that happens.

I had the privilege of working very closely with the CCACs ever since the first day they arrived to set up shop in Peterborough. We were involved with them right from the day of renting the location where they're now located, to go over their plans, and indeed have had a good ongoing relationship with them. I must compliment the CCAC in Peterborough. I think they have done a relatively good job.

But there again, it's one of those things where, yes, you can do a relatively good job, but maybe if you relook at things you can do a little better. A little better means that maybe there's more accountability, maybe there's more money in the system, maybe more people can be helped.

It was interesting to see some of the things they do. One of course is placement, assisting people getting out of hospital and going home, making sure they have all the services in place. My late mother, who was an RN, did that in the last number of years before she retired, and at that time it was difficult to find the type of facilities and supports we have today. As I said, we must continue to make sure that they are working, and working well.

Certainly the CCACs offer the community-based services, whether it's home care, long-term-care facilities, hospital discharge programs—and as I said, that's what my late mother was involved with—all under a single umbrella. If I had my way—and I can only speak

for Peterborough. We have a great big building there about four or five storeys high, and if I had my way, I would put every one of the organizations we fund in that building. You would have one set of support staff, one administration, and the money you would save from having all these places spread all over the city, all having their own administrations, all having their own board rooms, all having different support staff, could go right into the system to help the people you're putting the money in to help.

Ms Marilyn Churley (Toronto-Danforth): On a point of order, Mr Speaker: I've been listening with interest to the member's speech and notice that there isn't a quorum in the House. Could you check for a quorum, please?

The Deputy Speaker: I will. Could the clerk check for quorum, please?

Clerk Assistant (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

1610

Clerk Assistant: A quorum is now present, Speaker.

The Deputy Speaker: The chief government whip may continue.

Hon Mr Stewart: As I had mentioned before—and I can only speak for my riding—if I had my way that's exactly what would happen. On the first floor, needless to say, you could have the services for the elderly, the frail, the fragile; on the second floor, you could have services for the families; on the third floor, you could have services for somebody else.

We have diluted the system so badly that it doesn't matter whether it's children's services, adults, seniors or whatever, every organization that tries to support them—and indeed they support them well—must have their own CEO, their own management, their own support staff, their own board rooms, their own buildings, and it goes on and on. Why not have it all under one roof, have one management, one support, one administration, and the money you save can go back into the system to help the people?

I look at the levels of government. Here we have the federal government very involved in health care—they won't pay the money but want to have a say; they don't want to pay any money to us—the province looks after it, and indeed some of the municipal levels of government do it. Why would we have three levels of government looking after health care? I can't understand that. Why wouldn't we have one that does it well and we can make sure the money goes directly to the clients, to the patient to whom we're trying to offer that service?

I could never understand the reasoning. Mind you, I know it's been that way for a lot of years, but I think it's time to change. That's one of the things, when our government got elected back in 1995, where some of that change did happen.

The CCACs, because of some of the reductions they've had this year—reductions because many of the case managers and the caseworkers looked at the in-

dividual cases and said, "Hey, maybe these folks don't need that amount of care. Maybe they don't need four or five or six hours a day, maybe two or three." They assessed them, and this is what I'm very supportive of: have sunset clauses and reassess on a continuous basis to make sure they are getting the service they want. There are those who need more; others need less.

I can remember a lady coming into my office who was a caregiver. She said, "I've got a bit of a problem with what's happening." I said, "What's that?" She said, "Well, I was asked to go to a different home the day before yesterday," whatever it might have been; it was in the last couple of days. I said, "Oh?" She said, "Yes, I substituted for the normal caregiver." I said, "Oh? What's your problem?" She said, "The two people we were giving the care to sat at the table, drank coffee and smoked cigarettes while I washed dishes for one hour."

My concern is, should the government—and it's strictly a question—be in the housekeeping business? Should we be in the business of washing dishes? Should we be in the business of vacuuming? Should we be in the business of washing, ironing and all of that? Yes, there are special circumstances where that has to be done. But the funny part of it is, when some people look at those who are getting a service, mainly because they probably need it, they say: "Well, if they're getting it, why shouldn't I?" I have real difficulty with that. I want to make sure that the money we put into home care is going to those people who need it, whether it be the housekeeping, as I've talked about, or the health and medical care that they truthfully need. Then certainly by reviewing these things, the caseworkers and so on have that opportunity to reassess, because the bottom line of this is we first of all have to give the best possible support we can but we've got to do it in a very effective, efficient and accountable manner. The value for money is what this is all about. We have to make sure the services that we provide are the services that are required, the services that are necessary, and that the people that need them truly are getting them.

One of the reviews that the associate minister did, as I mentioned at the start, was an arm's-length review, a well-balanced review that I believe will be very invaluable as we move forward to improve the CCACs. That's exactly what we're trying to do: the first review, the first look at what has really happened over the last three or four years, to make sure that it is working right, to make sure it is working well so that the people will benefit from those particular management changes or administrative changes, whatever it may be or whatever the reviews find necessary.

It's interesting if you look at, I believe, the Hamilton-Wentworth CCAC that was reviewed a few months ago. When you look at things they were looking at and were concerned about—their financial accountability, the fiscal practices, the quality of management strategies—my goodness, should we not be looking at that? I think we should. If we have to put necessary changes into effect, then that's exactly what we should be doing. We

have to make sure that the people who are on those boards—the people who are running the CCACs—have the business skills or experience to make sure they can do it.

I don't know about some of you; I've employed people for 40 years. I get the best I possibly can, I work with them, I help to train them, and I want to make sure that they are the best people that we can possibly employ and have. There's all kinds of them out there but you've got to make sure that you work with them and make sure that they have a good understanding of what is required and that the management and the administration of it is what it should be, again, to create those efficiencies.

I mentioned at the start the fact that the government wants to make sure that we are strengthening the accountability, the consistency, the coordination of the CCACs, and do it across the province so that one is comparable to the other one. In my particular area I believe we have the third-largest senior population in Canada, so the pressure on our CCAC has been great. But, you know, when they got nearly a 70% increase back a couple of years ago, they've worked well with that money and they've taken a look at it and said, "Yes, we've got to live within our budgets," the same as all of us try to do on a daily basis. The old way was, "If we run over, the province will bail us out. They've been doing that for years." Well, it's time we quit bailing out people who are ineffective and do not believe in accountability.

So what we have to make sure, as I said, is that we have the best people there, the best boards, with those types of experience—

Mr George Smitherman (Toronto Centre-Rosedale): But Tony Clement says it's OK for hospitals.

Hon Mr Stewart: I appreciate the member across the way who may not agree with me, that's fine, but I believe we should run things well. All you have to do is look at what happened to the Liberal government in the late 1980s and early 1990s. God, you knew full well that they didn't have the ability to be accountable. Why would it change now? So I'm quite sure he'll carry on with the same idea.

1620

I have been pleased to speak to this bill. As I said, we have to make sure that the right people get the right services at the right time. We've got to make sure that the CCACs have to be sustainable into the future and that they must demonstrate effective management to ensure the delivery of effective long-term care. It's a simple fact of life.

I have talked about the one in Peterborough. Many, many dedicated people are part of that organization, and very qualified, but there are those, as we found out, across the province that are not. We've got to have some type of consistency; we've got to ensure that consistency in all the boards in terms of structure and management practices. We've got to have an integrated community model that will enhance the existing strengths that result from community involvement while adding a level of expertise that many boards have lacked in the past. This

happens; but if it does happen, for goodness' sake, let's correct it. Let's not let it keep going on and on.

In the past, the whole idea was to throw money at something. The unfortunate part of it is, when the money was all gone, you still had the same problem. I don't know about you, but I don't believe in doing business that way. I believe that you've got to look at the problem, find out what the problem is, then solve it. Yes, in some cases it will be money, in other cases it will be new management, in other cases it will be accountability and effective administration. But if you don't look at it, how can you find out? How do you know whether it's working well or not?

I think one of the keys to this—and certainly talking to the CEO of the CCAC in Peterborough—case managers are a major part of the efficiency of these types of operations because they get to know the people whom they're serving. They get to know what their needs are and when the needs improve. When they do improve and they don't need those services, well then, cut them back a little bit. Why would they get a service that they don't need when this person over here may want additional services? I think the case managers and reviews and going back and revisiting these issues are so important, and that's exactly what happens.

As we draw near the end of my 20 minutes, as I said, I have been very pleased to be part of this debate on the Community Care Access Corporations Act. I think it's legislation that will improve the system, improve the CCACs, and there will be some consistency across the province. I want to emphasize that there are some wonderful people involved in them now, but there will be wonderful people in the future. We've just got to make sure that those wonderful people are the ones who have the skills and know how to deal with them.

Again, I want to compliment the associate minister of health for her initiative and her dedication in making sure that this process is done well.

The Deputy Speaker: Members now have up to two minutes for questions or comments.

Mr Smitherman: Soon I get an opportunity to participate in this debate for an entire 20 minutes, so I want to save some of my energy for that, but I wanted to rise and follow on the speech by the member from Peterborough and highlight the core of his speech, which is the basic inconsistency of this government's approach.

This notion that he spoke about right at the top, this "bigger is better" notion that efficiencies are found in large entities rather than those that are small, lies in very direct contrast to the approach of the Minister of Municipal Affairs and Housing, as highlighted in the auditor's report with respect to municipal government in this province. When they look at the size of municipal governments, those which are smaller are given smaller targets for efficiency savings, the implied message there being that bigger is inefficient. So the very core of that member's speech is inaccurate. This is one more action by a government which looks as though it has been inspired by the Taliban. This is a controlling government. This is a government that in the face—

Interjections.

Mr Smitherman: I'm being heckled from the members' gallery, Mr Speaker. I'm pretty sure that's out of order.

This is a government that in the face of anything that doesn't work for them, they stomp their feet and cross their arms and then they bring in the hammer. This is like a curling match where the government always has the hammer. They've always got the last say. It comes forward in the form of—

The Deputy Speaker: Take your seat, but stop the clock, please. Point of order?

Ms Marilyn Mushinski (Scarborough Centre): Mr Speaker, I do believe this is a point of order. The member opposite said something that I believe is completely derogatory to this side of the House. He has suggested that the legislation that is in front of us is inspired by the Taliban. I think that is shameful and should be withdrawn.

The Deputy Speaker: I'll give the member the opportunity to withdraw.

Mr Smitherman: I'll happily do that. This is a controlling government. Perhaps I go too far in making my point, but this is a command-and-control government which seeks to impose its will upon communities, and they will pay the ultimate price for that.

Mr Michael Prue (Beaches-East York): I listened with some concern to what the speaker had to say. He did make a point, and I believe that's probably the government's position, that the CCACs should be staffed entirely or nearly entirely by people with business experience. Although I acknowledge and admire that people from the business community have much to offer, what he has failed to say and I what I think is the problem with this legislation is that other people have an equally great deal to say that is important to the process.

He made a statement that he wants all this to be done by the right people, the right services, at the right time.

Quite clearly, the right people are the citizens, particularly the frail elderly of our community. The right people are the sick who have just been released from hospital. The right people are the families who must cope in their individual and daily lives with family at home who have a variety of diseases, from everything that is curable, where they can see some long-term prospect, to Alzheimer's, which is only going to get worse. Those are the right people.

But the right services—my goodness. The right services have been cut. You can go to community after community, person after person, and you will find that the services they complain about are being cut.

Last but not least, the right time. People are complaining that before, they had services into their house to relieve them from looking after—seven days a week, 24 hours a day—an Alzheimer's patient so that they could go out and do their shopping. They had up to eight hours a week in order to do that. Now it has been cut from eight to four and in some cases to one or nothing at all, which

has left them housebound, left them unable to participate in our society.

I think that he has not indicated, to me at least, that the right people, the right services and the right time are what this government is all about.

Mr Frank Klees (Oak Ridges): I'm pleased to rise and to commend my colleague from Peterborough on his comments relating to the community care access centres. I was listening with great interest as the member referred to the importance of ensuring that the kinds of services that people in our communities who rely on us in this place to make the appropriate policy and very important fiscal decisions relating to community care—people expect us to assume that responsibility. What this government has realized is that the system was not working as efficiently as it had been expected to.

I'm surprised, frankly, that members opposite would not welcome the kinds of reforms that are being proposed here, that they would not commend the minister for taking this important step to rectify the matter.

1630

The member opposite refers to the right thing being done by the right people at the right time. Surely the member would agree that that is our responsibility. Not that only business people can make the right decisions, but surely there should be an appropriate number of people on these boards who do in fact have business experience; but beyond business experience, experience with multi-million dollar corporations, which effectively is what the community care access centres are, so that we know how to spend the money, how to demand efficiency and accountability, so that the people that the member referred to are in fact served appropriately, in a responsible way. This is not about anything else but being fiscally responsible and socially responsible.

Mr James J. Bradley (St Catharines): I know we're limited with the 20 minutes. I didn't think the member got into the issue of why we have a significantly greater demand on services. The concern is now that hospitals have been ordered by the Ministry of Health to discharge patients at an earlier point in time than was the case in years gone by. In some cases that may be possible because of such things as laparoscopic surgery. I think of a gall bladder operation, for instance, that used to put the person in hospital for a couple of weeks. There was always a great threat of infection, the recovery period was a pretty lengthy period of time, so to be on the side of caution, members of the medical profession often kept people in the hospital for a longer period of time.

So while I understand the discharging of some patients at an earlier point in time, the discharging of other patients has put considerable stress on nursing homes, because if you talk to the people who run the nursing homes or seniors' homes, they will tell you that the kind of patients they're receiving back from the hospital now are different. They can be the same people, but the state in which they find them is different. They are still quite acutely ill, still requiring some pretty heavy care.

The same can be said of a person being discharged and coming back into a household setting. As long as we

continue to close hospitals and hospital beds, as long as we continue to insist upon people leaving the hospital at an earlier point in time than perhaps many would consider to be advisable, including many in the medical profession, it seems to me that there's going to be an increased need for funding for community care access centres right across the province.

The Deputy Speaker: The chief government whip now has up to two minutes to respond.

Hon Mr Stewart: I want to just compliment my colleague from Oak Ridges, who emphasized my two very magical words, and they are "fiscal responsibility." If you don't have that, ladies and gentlemen, unfortunately you won't have either a very successful organization or, in this particular case, services for the people who need them.

The money that we get in from the people in this great province to be able to offer these services is their money. Should we not try to handle it and put it into services that we believe should be done and should be done well?

Pardon me, Mr Speaker; I'm going to have to forgo my two minutes.

The Deputy Speaker: I completely understand. It sounds like you're chasing a bad cold. So we'll move on. The floor's open for further debate.

Mr Bradley: I can understand the chief government whip having that problem. I sent over a cough drop for him, because I am facing the same problem, or have been for the past week. It does simply not allow us to continue on when the cough begins, and we all wish him well in returning to the very best of health.

I want to deal specifically with this bill, because I think it is an important piece of legislation and a significant departure from where we've been in health care.

The member for Peterborough endeavoured to make a case for fiscal responsibility and the proper handling of the funds going into health care or anywhere else, and I don't see a quarrel developing over that. There may be some nuances that are differences, but I think we want to see that money spent in as effective a way as possible.

My concern is that with the new government policy of wanting people out of hospitals, as the old saying goes, "quicker and sicker" than used to be the case in the past, we put a great demand out there on the need for home care services and services outside the hospital setting.

I've had a number of calls—in your constituency office, people will call about matters of great importance to themselves. Many of them are personal monetary matters that they're dealing with, and they're under considerable stress. Another category has been the number of people who have someone in the family who is in the health care system and being taken care of by the health care system. I have had people say, "Scream at the top of your voice for us." These are people I wouldn't call much different in their own philosophy from people in the government.

I think it changes. The member for Peterborough talked about business people on these boards. You know, once business people have had perhaps a parent, a spouse

or someone from the family needing health care services, those individuals sometimes change their minds when they see the genuine need that's out there.

I don't want to pretend that it doesn't cost money; it does. I think that anyone in the Legislature of Ontario, or any elected body, who suggests that a significant investment in health care is not going to be on the books as we go into the future with an aging population is being deceitful. I know no one in this House would want to do that. As we get older, we tend to need the services of the health care system more.

There are some people who do not do well in an institutional setting, and others who do. Literally, at Christmastime for instance, a major holiday in Ontario when people are discharged from hospitals, some people, particularly those who don't like an institutional setting, or like a home setting—let's put it in a more positive sense—actually improve considerably when they're able to get back in the home setting. But they do require care in that home to make that adjustment, to bring them back to good health. I think the community care access system, with some of its problems, has still tried to deliver those kinds of services to people in this province.

I'm concerned when I see what amounts to a cutback in the amount of money allocated. The government members, the Minister of Health, and the associate minister of health will say, "The amount of funding is the same as it was last year, so we haven't had a cut." But in fact what happened was that because of shortfalls in the funding in most of the community care access centres, the government infused more money into the system mid-year. What they've done, then, is cut back to what the CCACs started with last year. In effect, that does mean they have less money to work with, and the demands are greater.

Is there a need for some provincial rule and regulation as it relates to what services are provided and how they're provided? Yes. I think the community care access centres have asked for that. But this is what we in the Liberal Party have characterized as a hostile takeover of the CCACs. My concern is that at the present time we have on the boards community people from various backgrounds. We have some supporters of the Conservative government sitting on those boards. We have people who believe in other parties—most of the people have no particular party. My concern, when the government takes it over, is that we will have Conservative hacks placed on the boards. All you have to do is change the name of the government from Conservative to Liberal or NDP, and if you're in the same circumstances—what I'm saying is, people favourable to whatever government is in power to answer to them.

1640

What happened was, in my view, a lot of criticism was being directed to the government by the people from the community care access centres. I have a number of quotes here from people. Bob Fera was here for a press conference the other day. Correct me if I'm wrong, but was Bob Fera not the Conservative candidate in Sudbury just a few years ago in one of the elections? Bob's an

outspoken guy, we know that, and no matter what party he would be with he would be outspoken, but he showed an awful lot of intestinal fortitude to come down here at a time when the government has the hammer over the CCACs and to actually offer criticism of the government. His quote says, "This is health care planning at its very worst." He's with the Manitoulin-Sudbury CCAC; Bob Fera, former Conservative candidate.

There have been other expressions. "The biggest concern is that the legislation calls for new appointed boards. I would not want to lose the expertise we now have from the community," says Stephen Kay, executive director of the Peterborough CCAC.

"It is now glaringly obvious that advocacy on behalf of the frail, sick and vulnerable in the community will not be tolerated. Provincial appointees with the support of government will be able to ignore the pleas from the community for the service they deserve," says Norma Marossi, Waterloo CCAC board chair.

"This is clearly a hostile takeover. The government deliberately crippled the access centres with a funding freeze. When CCACs announce their only option, service cutbacks, indicating that they have no choice given the government's actions, the government turns on them with this gag order." That's from Ethel Meade, who is the co-chair of the Ontario Coalition of Senior Citizens' Organizations.

The Harris Tories have announced the budget of Ontario's 43 community care access centres will be frozen at the 2000 levels. I've made reference to that; that means there is going to be a \$175-million shortfall.

I understand that there are many commitments to be met. I understand how much people now look forward to the services that are provided by community care access centres, because the need is there. I'm worried about the number of nurses that are available. I don't particularly like the way people have to bid to provide the services. It allows for a lack of continuity. It often means that people are lowballing to get the contract and then cutting in certain areas. Those are the fears I have about that, and I think they're justified by what we've seen happen.

I talked to the Victorian Order of Nurses, for instance, who said that "one of the problems is trying to keep our people working with us because of the amount of money we can pay them." With the amount of money available from the CCAC, with the amount of money they get from the Minister of Health, it is difficult for them to maintain their nursing staff and the kind of continuity you need. So there's a problem out there.

Yes, we need a greater infusion of funding. The government has supposedly saved money from closing hospitals, despite the fact that in the 1995 campaign, in May in the leader's debate—you'll recall this—Robert Fisher, who was then with Global television, asked the question of Mike Harris—he was Mike Harris then rather than Premier Harris—leader of the Conservative Party, about closing hospitals. Mike Harris, leader of the Conservative Party at that time, said, "Certainly I can guarantee you, Robert, it is not my plan to close hospitals." We

now have over 40 hospitals that have been forced to merge or close in the province, despite the solemn promise of the Premier. I even believed him when he said that during the election campaign.

Interjection.

Mr Bradley: The problem is, I say to the member for Simcoe North, they have the tapes. They have the tapes of him saying that. When it's Hansard, it's pretty dry, but when you have the tapes and the person saying it, it means something.

Let me get away from that subject. I'm only mentioning it because it means we need more services in the community. The government was supposed to have saved money through the closing of hospitals and health care restructuring, as they called it, so there should be sufficient investment.

The government now says it needs more money for health care from the federal government. Everybody would love to see the federal government put more money in health care. I would be apprehensive about them handing the money to this government and would prefer that they spend it directly. Let me tell my friend from Simcoe North why that is the case, because he's wondering why I would say that. That's because this government is notorious for getting federal dollars, putting them in their pockets and then cutting the provincial portion. Carol Goar, in a July 21 article of the *Toronto Star*, picked four different categories where the provincial government simply took increased federal funding, pocketed it to pay for the tax cuts and then reduced the amount they were putting into that program. I can tell you that's my worry about giving you people the money.

So I have a plan for them. I think they should invest directly. I know they might face a constitutional challenge—and the Minister of Intergovernmental Affairs is here now to listen to this—but the problem is that if they don't do it that way, there's no guarantee that the province won't simply take the money to pay for the tax cuts. As you know better than anybody, Mr Speaker, this province has plans for another \$3.7 billion in tax cuts—\$2.2 billion for the corporations, \$950 million to \$975 million in further income tax cuts and the new voucher for private schools, which if you take the low estimate, is a \$300-million cost, and the higher estimate, is a \$500-million cost. When the government of Ontario was making its case against the United Nations' ruling, they said it could be up to \$500 million, and I believed them then.

If you put that all together, what you figure out is, these people don't want the money for health care; they want the money to pay for those tax cuts, because they're going to result in well over \$3 billion in straight lost revenue. That's why I believe they should invest directly.

Interjections.

Mr Bradley: There is nobody but nobody who believes that, what the government says, any more. I hear nattering in the far corner. There's nobody who believes that any more. Look, I am very fair-minded, I say to my

friend from Halton. You know how fair-minded I am. I say the present recession is not the fault of the Ontario government. I'll go anywhere in Ontario and say that. Do you know why I say that? Because I say the economic boom we experienced had nothing to do with the policies of the Ontario government, so I'm being consistent. What I object to and where I differ is your prescription for dealing with the recession. You want to give more tax cuts instead of investing in the needs we have in this province.

That's why I say the booming American economy and our exports to the United States were a major factor in the boom in Ontario. The second major factor was low interest rates, the lowest interest rates we've had in a long time, which encouraged people to borrow money to invest in their businesses. The third is a dollar that makes us competitive. We may say we'd like an even dollar and we'd love to be competitive—some people might say that—but the fact is that a lower dollar makes us very competitive. I heard the Minister of Finance the other day barracking across that he would like to see C\$1.05 for US\$1. Can you imagine the consequences in Hamilton in the steel industry or in other industries—the auto industry in St Catharines or the pulp and paper industry in Thorold—if that dollar went to \$1.05? It would be a disaster, and here's the Treasurer of the province of Ontario advocating it.

I say the federal government should invest directly in health care, maybe in an infrastructure program where they say, "We will buy equipment for hospitals," because at the present time, as members know, hospitals have to raise the money themselves for that equipment. If the local community were relieved of that responsibility by having the federal government spend directly and buy that equipment, with the approval of the Minister of Health. In fairness to the Minister Health, who is here this afternoon, if you're going to allow a new piece of equipment that's going to generate an operating cost, the Minister of Health of the province should have the right to give the green light or the red light on that. I would not deny that. But I think there's a chance for them to invest directly, so then they can be assured that the province isn't taking the money to pay for the tax cuts, which I'm afraid of.

1650

In terms of this bill itself, because I wanted to deal with those peripheral issues that deal with this bill, it's all about control, it's all about placing, I'm sorry to say—and there are some good people within the party—Tories in the position of running these, people who will be silent, at least publicly silent, about the problems confronted by community care access centres. Instead, what we need are public advocates, and I commend those people who are supporters or who have been supporters of the Conservative Party who today are being openly critical. They need not apply, I assure you, to the new CCAC boards that are going to be appointed. The kind of board you're going to see is like the Ontario Parent Council, where they've got Mr Reid from Welland who

was a Tory candidate who ran against Peter Kormos. They trot him out like he's some kind of neutral person; you know, the Ontario Parent Council, like he's an elected person. He appears at a public hearing. He appeared at one in St Catharines on the new tax vouchers for the private schools. Here's the head of the Ontario Parent Council of course agreeing with the government policy and using up the full time so I couldn't direct questions and ask him the number one question, "Weren't you the Conservative candidate last time in Welland-Thorold riding?" He used up all the time and the Chair, my friend Marcel Beaubien, knew what I was up to and he brought the hammer down quickly so I couldn't ask that question. That's what it was all about and that's what I'm afraid of here.

Your best boards are local independent boards who are not afraid to speak up. I've been in government. I know how you don't like people criticizing you when you think you're doing the right thing, and I'm sure there are many on the government side who believe what they're doing is the right thing. But I think it's healthier when you have independent-minded people, not just party hacks from whatever party happens to be in power, sitting in those positions to analyze, to offer criticism and indeed offer praise when the praise is there.

I'm not effusive in my praise of this government, but once in a while on a bad afternoon I offer the odd compliment. The reason I don't offer it too often is that that's why we have government members. There are two reasons, by the way—I should explain—that members of the opposition are unwise to offer too many compliments to the government. One is, we find them in government pamphlets and/or repeated back to us in the House. So you have to be very cautious in your praise of the government. The second is, that's why we have government members. I've said on a number of occasions—my friend Bart Maves is here this afternoon—when they phone about the budget, I tell them what's wrong with the budget. They say, "Well, isn't there anything good?" And I say, "Here's Bart Maves's number. Bart will tell you what's good about the budget." He's a government member, and I don't expect that Bart is going to phone the radio station and say, "It's a terrible budget and this is what's wrong with it." So at least we have two points of view presented: the government point of view, the opposition point of view, and the public will choose somewhere in between those who they think are right and those who are not.

This is what I consider to be a hostile takeover. What is needed most is an investment of funds in the community care access centres to provide the services for our seniors, for our frail elderly and for people who are coming out of the hospital setting and need services in their home so they can live in their home and enjoy their home.

The Deputy Speaker: Thank you. Members now have up to two minutes for questions and comments.

Mr Peter Kormos (Niagara Centre): Holy moly, Speaker, I just got served with a couple of notices of motion for time allocation.

Interjection.

Mr Kormos: Yikes, interesting, fascinating: Bill 130, uh-huh. Well, here we are. We're in the midst of debating Bill 130 and a time allocation motion is already served. I think that's pretty presumptuous.

What they've done is they've given us choices. It's the time allocation motion with committee hearings or it's the time allocation motion without committee hearings.

Mr Ted Chudleigh (Halton): Your choice. We listen.

Mr Kormos: My choice. Committee hearings, Wednesday, December 12, from 9 till noon, and from 9:30 to 11 for clause-by-clause consideration of the bill. Then at 9:30 all the amendments which have been tabled shall be deemed to have been moved.

What a crock of spit this is. This is incredible. This isn't just a hostile takeover; it's an all-out bombing attack. This is a repugnant bit of arrogance yet again on the part of this government. It's beyond cute. This government has abandoned home care.

Then I had to listen to the last Tory speaker trying to set up his home care recipient bums scenario—were you here?—the home care recipients who sit there drinking coffee, smoking cigarettes, while the home care worker is in there scrubbing their dishes. What a stupid, moronic thing to say on the part of Mr Stewart. What a repugnant and mean thing to say, and what a downright dishonest thing to say.

Ms Mushinski: I always enjoy listening to the member for St Catharines. He's very bright and knowledgeable. He's an experienced veteran of provincial politics and he always adds very colourful descriptions of government programs that I kind of enjoy.

I don't always agree with him. He rarely, if ever, points to the 69 tax increases that happened in the 10 lost years, between the Liberal government and the federal government. He rarely points to the little red book that was delivered, I believe at the last election, by the federal Liberals when they promised home care and pharmacare. I've never, ever heard him actually refer to the \$100 billion of tax cuts that the federal government has referred to.

But then of course, he probably doesn't trust them because they don't deliver on their promises. They said they were going to scrap the GST, when in fact I think I still pay GST every time I buy goods and services in this province. They said they were going to scrap free trade and NAFTA, and instead they've actually enhanced free trade and NAFTA. So yes, I would agree with him. That's probably the reason he never refers to their promises, because they never keep their promises. That's something we have always done. We promised we would cut taxes when we were elected in 1995, and guess what? For the first time in living memory you had a government that did what it said it was going to do.

Mr Michael Bryant (St Paul's): I obviously enjoyed listening to my colleague the member for St Catharines and I support his argument. I can tell you what we're seeing in the riding of St Paul's in terms of what the government is doing to the CCACs. It is a hostile take-

over. I want to spend my two minutes, besides praising the member for St Catharines, congratulating the chair of the Toronto CCAC, Dr Doug Hamilton, for having the courage to speak out. It's obviously difficult. It's not easy. I think it takes a certain level of political courage, I guess, to say, as the chair of a CCAC, as he did, that in fact what the government is doing, and I'm just quoting from him, "imposes a gag order on CCACs, preventing them from voicing dissatisfaction with chronic underfunding of home care in this province."

1700

We ask a lot of the members of the board to ask them, in the midst of their dismantling, to have the courage to speak out, as opposed to what I'm sure many wanted to do, in some cases, and just walk away from this because they've just had enough in terms of their treatment by the government. Congratulations to the Toronto CCAC for having the courage to speak their convictions.

I recall the chief government whip made reference to the number of seniors in his riding. I can tell you that St Paul's is in a very similar situation. There's a very high proportion of seniors in St Paul's, at least compared to other ridings across the province. But also it's a very diverse community, extremely diverse—ethnically diverse, languages—a very diverse community. It requires local responses, local accountability and local management, and that's why this hostile takeover will so adversely affect the community I represent.

Mr Prue: I listened with great interest to Mr Bradley and his comments. Although he had a wide-ranging number of comments, he talked I think most succinctly and most correctly about the cutback. Now the government opposite will say there has been no cutback. Every time I come into this Legislature I hear how many more millions of dollars they're spending on every single government program. I have to tell you that with all the baffle-gab that is heard, I sometimes lose track of exactly how much money is being spent where.

But I want to tell you that the people out there who rely on this program aren't fooled by that baffle-gab. They agree there have been cutbacks. They know that where they used to get services, they no longer get services. Where they used to get eight hours a week, they're now lucky to get one or two hours a week. Where they used to have care for their bed-ridden, elderly parent in their home, they no longer get that care. They know that the cutbacks are real and are ongoing and are not likely to get better.

The member opposite, in her comment, went on to say that this government was the first to promise to cut taxes and keep their promise. I commend the government for keeping a promise. I don't necessarily agree with you, but I commend you on making a statement and going to it. You said you were going to cut taxes and you did it.

What you said opposite to that, though, was that you were going to maintain all the services: bigger and better services for the same or less cost was the mantra. That is the part that has abysmally failed, not the few paltry dollars that have been sent to people who probably didn't need the money anyway, but the real human suffering

that we see every day out there on our streets and that we are starting to see in the CCACs from our frail and elderly. Quite frankly, it is appalling when you have to go and talk to those people and look them in the eye and know they are going to suffer more and more.

The Deputy Speaker: The member for St Catharines has up to two minutes to respond.

Mr Bradley: Thank you to the members for Niagara Centre, Scarborough Centre, St Paul's and Beaches-East York for their comments. I like this exchange, by the way. This was a good rule change, where we get a chance to comment upon each other's comments. We don't always agree, but I think it's a good counterpoint that's made in each case.

I have a suggestion on where the government could get some money for health care, and that is the \$250 million they spend on self-serving advertising. Every time I open my mailbox now, I have another picture of the Premier with a comment from the Premier. I turn on the television set. I tried to watch the Grey Cup, and every time I tried to watch it, it would be interrupted with yet another government of Ontario commercial at the cost of about \$6 million.

The member for Beaches-East York mentioned some significant cuts in terms of the hours and the kinds of services available. That's the kind of thing we're getting calls on now in our constituency office. Those were essential services, not simply people talking about a frivolous service, but some essential services and where they're cut back. They're pretty sad stories when you hear of seniors who are often on their own, where there isn't a large family around to look after them. They may be some distance away. So I think that's worthy of remembering.

In terms of promises, I want to return, because the member for Scarborough Centre perhaps missed it when I was speaking—I remember that Mike Harris said when was he was leader of the Conservative Party in the 1995 campaign, "Certainly I can guarantee you, Robert, it is not my plan to close hospitals." That will surprise those who were associated with the over 40 hospitals that were closed or forced to merge.

I really think we have seen a major problem that's going to require an investment of funds and some good management. I don't think this bill will accomplish that.

The Deputy Speaker: The floor is now open for further debate.

Mr Kormos: Thank you to you folks gathered here in the assembly to hear my comments. Off behind the Speaker on the government side of the House, I see Mr Ecker, the House leader's spouse/life partner. I don't know whether he's working for the government now.

Mr Bob Wood (London West): Derek Nelson.

Mr Kormos: Oh, I'm sorry, it's Derek Nelson. I'm not sure if he's working for somebody in the government right now, but by all means, keep it in the family. "Charity begins at home," is the way some people put it.

He's moved, but not out of sight. In any event, welcome, Derek. Welcome to the chamber, to the Legislative Assembly and, I assume, to the payroll.

Mr Bradley: Remember when Derek used to write for the Thomson papers?

Mr Kormos: Well, look, Thomson didn't treat its employees very well, did they? They treated them shabbily, and clearly this government is treating Mr Nelson far better than Thomson did. I for one am pleased to see the family income in the Ecker-Nelson household—unless he's a dollar-a-year person. From time to time that happens. People volunteer their services. I understand.

Anyway, Mr Nelson, welcome to the chamber, to the Assembly. You've got a long history here. I know Thomson didn't pay well. I hope—as a matter of fact, I trust—you're getting paid better now than when you were with Thomson.

Look, this whole debate becomes rather moot, null and void if you will. I mentioned to you just a couple of minutes ago about the notices of motion I received from the government House leader. The government wants this bill. They want this bill real bad. The government wants this bill so bad they can taste it, if that's not mixing a metaphor in its own right. Clearly, this bill is critical to the government's agenda, and that's in contrast to a whole pile of bills—some 20-plus bills—that are still waiting, some for second, some for third reading. In view of the fact that there are but seven sessional days left before the calendar day of adjournment—

Mr Bradley: They want out on the 13th.

Mr Kormos: Maybe only six sessional days left then. That's right. Maybe only six sessional days left.

Interjection.

Mr Kormos: No, think about it my friends: four mornings and two evenings. I received the notices of motion today for but two evenings of sittings till but 9:30 pm, not midnight.

Now, Mr Bradley, you've been here some considerable time. You reflect on it and contemplate what that means. That means the government wants out. Last night the government passed a motion to exempt all bills from the impact of prorogation of the House, which may or may not happen. But think about it; almost inevitably it will. By the time the House is scheduled to return, there will be a new Premier, either from the existing cabinet or from outside the existing cabinet. There might be a Premier from among the government backbenchers. That would be a revolutionary thing to do, wouldn't it, you common sense revolutionaries, you bold iconoclasts?

1710

So by the time the House comes back, a new Premier, a whole gaggle of new cabinet ministers, depending upon who has and hasn't placed their bets appropriately during this round—listen, the window closes in short order. What's the last day for nominations? It's not too far away, so you'd better get to that betting window before the window closes. Depending upon where respective caucus members have placed their bets, you'll see a fascinating new cabinet.

Mr Bradley: You mean it's not based on ability alone?

Mr Kormos: Meritocracy, Mr Bradley. Meritocracy has nothing to do with this government's appointments to

positions, which is one of the serious concerns we all should have about Bill 130. I sat on the BAC committee and Mr Bradley chairs it. He of course is impartial. He's neutral. He sits there not only without expressing any opinion but without having any. He sits there with his mind a clean slate—what do they call it?—*tabula rasa* with respect to any judgment about the people before him. Meritocracy has never been a component of this, but for the rarest of exceptions. I can think of a couple of exceptions. I thought I'd better cover the rare appointment where people had true merit.

Again, you're talking about, for the most part—look at what they've done to district health councils. Down in Niagara alone we've had some incredibly hard-working people on our district council: Sue McNellis, for instance, a labour rep and a good person, an intelligent person, committed to working people. She is an active trades unionist. She makes no bones about it. She has been an outstanding member of that labour council, yet she and the likes of her—people who are truly representative of communities, people who give heart and life and relevance to district health councils—have been sacked one after the other after the other and replaced by mere Tory hacks, lapdogs for the Tories, people who are willing to be more than mere apologists for Tory attacks on health care, on hospitals, on home care and actual advocates for the cuts on health care and home care. That is the thrust, the purpose and the intent of Bill 130.

The government froze CCAC funding last year, leaving—what?—a \$175-million shortfall. This government may not believe in deficit financing for itself but it sure believes in deficit financing for CCACs, for hospitals and indeed, at the end of the day, for municipalities. Among those people on CCAC boards have been people who have been fighting. They see that as part of their job, part of their advocacy on behalf of people receiving home care: seniors, the ill, yes, persons with disabilities and people who have been discharged from the hospital after, more often than not, relatively serious if not absolutely serious surgery, because, you see, hospital budgets are so underfunded. People are being shipped out of hospital after some radical surgeries after a one-night stay.

I've spoken to people who have undergone some surgical procedures—I'm not talking about a little removal that needs one of those butterfly bandages after the fact; I'm talking about invasive surgery—who have been released after what amounts to a day's surgical procedure, among them seniors. One of the top three concerns that we get in our constituency offices has been about the cuts in home care. I tell the member from Peterborough who stands here and tells us one of those urban myths that he heard from a friend of a friend of a friend about two people, a couple presumably, receiving some modest home care services who sat there drinking coffee and smoking cigarettes while the home care worker did their dishes, and, oh, obviously they're ripping off the system. I say: bullfeathers. I put to you that that's an absolute concoction. I put to you that that's the very—

Hon Mr Stewart: On a point of order, Mr Speaker: I don't appreciate being called a liar in this House.

The Deputy Speaker: It would be helpful if the member withdrew that.

Mr Kormos: He has an incredible imagination. I withdraw any reference to lying.

The Deputy Speaker: Thank you.

Mr Kormos: The member from Peterborough has an incredibly creative imagination. It's almost a delusional imagination, that he can come up with a story that would attempt to justify this government's cuts to home care, that he can come up with a story that he heard from a friend who knows a brother-in-law who knows a cousin who works for the local plumber who told him about these people ripping off home care, and that's why this government's got to cut home care budgets—because that's what in effect the freeze last year amounted to. It amounted to a cut of \$175 million. And that's after some already serious cuts in the home care services provided in the region of Niagara, where I have communities and where Mr Bradley has communities and, yes, where two Tory members have communities, as well as in every municipality and every region across this province.

Do you understand what home care cuts have constituted for a whole lot of seniors? It means that instead of getting bathed twice a week, they bathe once a week. That's what it means.

The average cost of home care across this province per recipient annually is something like—what is it, \$3,000? And do you know what the option is? Do you know what the option is? The option is to put people—seniors, our folks, our grandfolks—prematurely into Extendicare units and hospitals, which cost a fortune and which simply attack, assault, the independence and the dignity and the sense of quality of life that those seniors, our parents or our grandparents, have and ought to have and deserve to have as retirees and as senior citizens.

It means shipping them off to seniors' homes, which are becoming increasingly taxed in terms of the understaffing and have incredible waiting lists. Any of you who have worked to try to get your folks or your grandfolks into one of those seniors' centres understands exactly what I'm talking about. That means then you've got to sidestep the good seniors' homes, the public ones, and either afford—yes, as I acknowledge—some very good seniors' homes in the private sector or end up in what the press has reported, and what most of us during the course of our activities in any number of communities across this province have discovered, to be rip-off operations that purport to house and care for seniors and that represent something out of Dickens.

That's what reduction in home care means, and that's what this bill is all about. This bill is all about controlling CCAC boards so that you'll have those boards collaborating—not collaborating; my goodness—actually acting as part and parcel of the government in the operation of home care services in municipality after municipality, the regional municipality of Niagara among them, with all of the communities that it serves.

The regional municipality of Niagara is incredibly unique; not thoroughly different from any other region or municipality in the province, but unique, because it's one of the aging municipalities, it's one of the oldest municipalities in terms of its residents. And it's a municipality that as a region has suffered incredible downloading along with so many others across the province, which means that its seniors' services at the regional level are increasingly taxed—taxed, pressured, underfunded—where the best efforts of good people—I told you I was with the staffs of both Rapelje Lodge and Sunset Haven a couple of weekends ago at the Slovak Hall in Welland, where they had their annual end-of-the-year party. The people who work in Rapelje Lodge and Sunset—two of the best, I'm convinced, in the province; not without their own difficulties—are working double and triple loads because of the understaffing, because of the downloading on to municipalities, which means that municipalities have fewer and fewer dollars, because of their limited and more limited tax bases, to work with in the operation of seniors' services.

1720

So, yes, Bill 130 is an attack on senior citizens. That is shameful. That's sad. That's despicable. It's not justifiable, but it's explainable, because while this government clearly has no commitment to seniors, it has no commitment to people with disabilities who might require some modest home care, it has no commitment to the sick, it does have a strong commitment to its profitable corporate friends—not all the corporate world but the profitable corporate world.

This government's got to cut home care services because it has got to find money to pay for the \$2.4-billion corporate tax break, the newest one, for profitable corporations. This government has got to cut home care services. It's got to leave our grandparents or our folks with but one bath a week, to pay for yet more of its personal income tax cuts for the wealthiest people in Ontario. This government's got to cut home care services for our folks and our grandfolks so that it can spend half a billion dollars on private, some of them for-profit, schools.

I say to you, as I have said to you before—and I'll say it again and again and again—that here at Queen's Park we have a minimum wage of some \$80,000 a year, and but a handful of members who don't make more than that. I tell you that your tax cuts have caused this sort of grief for seniors and for the sick and for the disabled.

I'm telling you right now that if I've got to pay another \$5, \$10, \$15 or \$20 a week in income taxes to make sure that home care services can be provided, I'll pay it. If I've got to pay a few hundred dollars more a year in income taxes to make sure home care services are provided to the seniors and others in the communities I represent, by God, I will pay it. I'll pay it with pleasure and I'll pay it gladly. I'm not going to participate in this government's attack on home care, which means an attack on seniors and the sick and the disabled. I'm not going to collaborate, as the member for Peterborough

did, in the vilification of people who rely upon home care services a crummy hour or two a week. That member wants to paint a picture of so-called, presumably we are to infer, "able-bodied" people sitting there drinking coffee and smoking cigarettes.

Please. There isn't a home care provider in this province who would allow themselves as home care providers, as people out there giving the service—there's not one who doesn't understand that they, as workers, as nurses and nursing aides and other types of home care providers, are working incredibly hard travelling to home after home after home in a circuit, sometimes over a broad geographical area, on any given day providing critical and essential services. Indeed, I've talked to home care providers in Niagara region working through the CCAC who tell me about doing extra work and not billing it back, because they do it out of their compassion. They do it out of their understanding, their realization that this government is engaged in an attack on public home care services.

Oh, will privatization fill the void? Of course it will. But if you've got enough money to pay for private home care services, hell, then you don't need OHIP either because you've probably got enough money to pay for private health care. You don't need public education because you've probably got enough money to pay for private schools.

But I pay taxes and I'm prepared to pay taxes and I'm prepared to roll back my tax cuts to make sure that things like home care and health care and education are things provided for through the public sector so that every member of this provincial community can avail themselves of them, regardless of how fat their wallet is. New Democrats believe that and New Democrats are not going to do anything to advance this government's agenda. We will resist this agenda and this government can take its time allocation motions and put them where the sun don't shine.

The Deputy Speaker: It's now time for questions and comments.

Mr Garfield Dunlop (Simcoe North): I'd like to respond to the member for Niagara Centre's comments. First of all, he made one statement here today about our government having no commitment to seniors. I want to point out two major points on that. First of all, for a government building 20,000 new long-term-care beds following 10 years of not one new bed being built in the province of Ontario, I would say that is a commitment to seniors. Second of all, we've increased money for the community care access centres across the province by 71% since 1995.

The other thing I was really surprised to hear the member for Niagara Centre comment on was the time allocation. I understand that our Liberal friends across the way supported this resolution on time allocation, but what got me is that with all the talk we've had, with all the discussions we've had on federal contributions to the health care system, particularly the federal promise in the red book to have a home care system across the country,

and after all the lobbying we've done to increase the federal share from 14 cents to 18 cents on the dollar, next Monday the federal government is going to deliver their budget. It's two years since we've had a budget and guess what, ladies and gentlemen? They're going to time-allocate it and they're going to adjourn before their Christmas party on Wednesday night. Here we have the whole country's health care system at stake, all the discussions on the terrorist activities of September 11, and we're going to sit back and watch the federal government use time allocation on the budget that they haven't presented in two years. I'd ask the member for Niagara Centre to please help our government support our lobby to have health care restored by the federal government in this country.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to comment on the comments by the member for Niagara Centre. I often hear in the House that no new long-term seniors' beds were opened over 10 years. I know that to be wrong because I can remember sitting as Bob Rae cut ribbons on the opening of new long-term-care beds. These things are always in my mind. Not that you're bitter when you lose, but you remember that you could have been cutting that ribbon. Mr Rae was up there; more power to him.

I wanted to comment on the member for Niagara Centre's comments on the corporate taxes. Recognize that the priority of the Harris government, the only thing they reaffirmed they are going to make absolutely certain they do, is to cut corporate taxes by \$2.2 billion. That's the one thing they said is safe. Everything else is on the table. Health care is on the table, education is on the table, security is on the table, but we're going to go ahead with the \$2.2 billion.

The major piece of advice that the Minister of Finance for the province gave to the federal government was to cut corporate taxes more. Mr Flaherty, just two weeks ago in the Legislature, said, "I want the federal government to cut corporate taxes by another \$7 billion," over and above that they already are planning. So we're going to get our corporate taxes in Ontario—that's what he wants—40% lower than our competitors.

I would say to our seniors that one of my great concerns is that as we move to community-based care, I don't think we have in place the necessary measures to ensure that it's working efficiently. In a hospital, if someone is not being looked after, at least they're there in the building and someone ultimately will see it. But if a senior is in their home, not being looked after, we have no mechanisms to measure that, and that's the tragedy of continuing to cut our support for these programs.

1730

Mr Prue: As always, I find the member from Niagara Centre to be a most entertaining speaker. I have learned a few words today that I think go very close to offending parliamentary language without actually doing so. As a rookie, I don't know whether I'll ever need that. I hope not. Anyway, the reality of what he had to say is true. The cutbacks have been deleterious. The cutbacks have

been very hurtful to many Ontario families, especially those of the aged and infirm.

The comments he made about the appointments of people who are now going to serve on these boards, people who have money, people who are organized around money and spending money and looking after money are absolutely true. They have a place. I would not deny that those kinds of people should be on boards. But the people who are not likely to be on these boards are the ones who have done a tremendous amount of social work at the boards, giving a human face to those boards, for the people who actually receive the services and/or their families. They are the ones, the equation that is being cut out as these boards are streamlined and made business-efficient. That is what is going to hurt the entire program in the long term.

I'd like to spend a few seconds talking about one particular family I have run into, who have come to me. A war veteran, a person who has served this country in times of war and is a proud member of the Royal Canadian Legion, has now developed Alzheimer's. His wife is doing everything she can through love and commitment to keep him in the home, everything she can possibly do. She came to me asking for help, anything we could do. She has been cut from eight hours a week in looking after him and bathing him and looking after his physical needs down to one hour a week, which isn't even enough to get her out to do the grocery shopping so she can feed him for the rest of the week. Shame on a government that would allow that to happen.

Mr Bart Maves (Niagara Falls): It's a pleasure to rise and join the debate. The member from Welland-Thorold complained that this government had no commitment to seniors in this province. My colleague started to talk about a commitment of building 20,000 new long-term-care beds. He didn't mention the fact that we were redeveloping 16,000 long-term-care beds at the same time, which is the type of thing that Bob Rae, by the way, cut the ribbon on, not new beds.

Second, I want to point out that the NDP spent a heck of a lot more money in their term of office than did the Liberals. In fact, they were spending, when we took office, just over \$600 million on home care in Ontario. What's this government spending? Almost double that: \$1.17 billion. So your commitment apparently paled to ours. Not only that, but we've increased funding for long-term care and we've increased funding for hospitals. Hospital funding is at an all-time high right now. Finally, health care in general under the NDP was \$17.4 billion when we took office. Today it's \$23.5 billion. The NDP increased spending, even though federal governments were cutting funding to them, and we've increased spending dramatically from \$17.4 billion to \$23.5 billion, even though the federal Liberals have been cutting funding to us.

To say this government hasn't had that commitment to seniors is clearly wrong. If we didn't have a commitment to them—the record shows, the amount of money we've spent in the entire health care system over this time

clearly shows, that our commitment goes well beyond what either the NDP or the Liberals had for those seniors. Not only that, but everyone knows this bill is about fixing a system that has not been working. We've had two studies that clearly show that, and we have to react when studies like that are presented to us.

The Deputy Speaker: The member for Niagara Centre now has up to two minutes to respond.

Mr Kormos: Thank you kindly, Speaker. Commitment? Well, then make a commitment to meaningful public hearings around Bill 130. Make a commitment to holding those hearings during the intersession after this House rises for Christmas. That'll demonstrate some commitment. Have those hearings travel from Niagara through to Hamilton, up to Toronto and through Sudbury and Thunder Bay. That'll show commitment. Listen to folks out there and let them tell you what your de facto cuts to home care have meant. Have those public hearings and let people from boards of CCACs come forward in front of the committee and tell you what your underfunding of CCACs has meant, especially your freeze last year, which resulted in a \$175-million deficit. Commitment? Have your member from Peterborough produce the home care worker that he talks about and the two fraudulent recipients of home care. Have him produce those people and bring them to the committee, if you say you've got commitment.

Yesterday we passed a motion exempting bills from the impact of prorogation, so don't tell me that the bill will be lost if it isn't passed before December 13. Your House leader has introduced two time allocation motions that effectively preclude any third reading debate, any amendments to the bill, any debate during committee and, on a good day, provide but three hours of committee hearings this Wednesday morning at 9 a.m. They want the New Democrats to roll over so they can have fraud-sham hearings of but three hours. "Not our job, not interested in doing it, not our intention." The fact is, folks out there know full well what you've done to CCACs and home care, and folks out there will discover full well what Bill 130 is going to do to them even further.

Mr Maves: On a point of order, Mr Speaker: Just to let the members know that one of those time allocation motions was actually proposed by the Liberal Party.

The Deputy Speaker: That's not a point of order. Take your seat. The floor is now open for further debate.

Mr Klees: I'm pleased to participate in this debate. I believe the member for Niagara's intention—

Mr Kormos: Centre.

Mr Klees: Niagara Centre. His references to time allocation motions—my colleague Bart Maves was trying to make the point that apparently one of those time allocation motions was proposed by the Liberals. I think it's important that we keep the facts straight in this House, but that is yet another matter.

The issue of community care access centres is one I have been occupied with for a number of months now because certainly it has proven to be one of the major issues with which my constituents have engaged me. All

is not well with community care in York region, and I also know that all is not well with community care in many other places across the province. My colleague Marilyn Mushinski expressed to me in personal discussions that she is very pleased, on the other hand, with the kind of work that's being done by her community care access centre, and I know there are other places across the province where in fact efficient and effective service to seniors is being delivered by this system.

What it shows is that it isn't necessarily the system that's wrong, but there is a management problem. It's that management problem that the Honourable Helen Johns, associate minister of health, is attempting to deal with and address through this piece of legislation that we're debating now. It became very clear that some community care access centres, through their boards, through their administration, through the way they're doing their work, have in fact been meeting the needs of and serving their communities very well. However, for those that aren't, it falls on the government to assume the responsibility and make sure that the appropriate framework is put in place so that the accountability and the efficiency are there.

I would like to lead my comments off by quoting from a letter sent to me by one of my constituents. I think it highlights the fact that there is much more at stake here than simply funding.

1740

To the members opposite, whether it be from the Liberal Party or the NDP, it seems that all of the problems of the world could simply be solved by throwing more money at them. Members of the Liberal Party in particular rant and rave about the fact that if you simply stop giving tax breaks to people, then you could take that money and throw it into health care or throw it into education, throw it into any other problem area, and that would solve the problem. That's simply not true, and it's that kind of thinking that ended up saddling our province and the taxpayers of this province, as you well know, Speaker, with incredible debt, with a deficit approaching some \$11 billion, a debt load that people were struggling under, that was driving jobs out of this province and that was, quite frankly, eating away at the ability of all governments or any government to be able to provide essential services.

What I want to draw our attention to is that this issue is not necessarily about money. I'm not saying that there shouldn't be a review of funding formulas and I'm not saying, particularly for an area such as York region which has experienced incredible growth, that there shouldn't be a monitoring of the funding formula to ensure that the appropriate funds are designated to that area to keep pace with the needs that are there.

But let me draw your attention to this very thoughtful letter, which I believe goes to the heart of what the issue is. It comes from Sheila McLeod, a senior citizen, as she identifies herself, who moved to Markham in February of 2000. I quote:

"I thought you might be interested in my experience with CCAC.

"My husband was diagnosed as being terminally ill in April of 2000 and was in palliative care at Markham-Stouffville Hospital. When I brought my husband home the social worker at the hospital promptly connected us with CCAC and arranged home care for us in this new community (in which we did not have the support circle of friends and neighbours that we had had in our previous community)."

That is the purpose of CCAC. That was the intention: to ensure that people who have these needs are in fact very quickly connected with the necessary support services. The letter goes on:

"Arrangements were made for delivery of a hospital bed and other necessary equipment, as required, and this was accomplished with only minor miscommunication. Unfortunately, the remainder of the home care service was a bureaucratic nightmare. The nurse who came to set up the service used up the entire hour with paperwork and hardly looked at my husband. The home care help who came also used up the entire time in filling up paperwork and during the week that I had home care no one actually helped my husband shower or gave him any meal or attention, other than sitting with him at night, so that I could grab a few hours' sleep.

"During that week, I requested one two-hour visit (rather than the one hour per day allocated) and ... to my horror ... two workers had been mistakenly assigned for this home care and ... they both left before I returned. I found the door unlocked and my husband (who was on morphine) had been left alone, completely helpless, in the apartment. My feeling is that there was a genuine interest in assisting me, but that the red tape and bungling actually nullified the benefit of this service. I was afraid to leave my husband alone.... He was readmitted to hospital and died shortly after that."

Speaker, I share that with you because I think it goes to the heart of the issue that we have to wrestle with here. This is not simply about throwing more money at this problem. It's about ensuring that the services that we're providing are efficient, are effective, are monitored; that there's accountability in the system to ensure that whether it be the case worker, whether it be the executive director of the CCAC, whether it be the board members, whether it be the chair of the board, everyone is held accountable, has the ability to deliver the kind of service that's needed, and that at the end of the day the clients of the CCACs are properly served, the taxpayer is respected and the service is delivered in the most efficient and effective way.

There are those who would claim that somehow our government is starving the home care network in this province. I want to speak specifically to York region, where, as I indicated, we have a growing population. There is somehow a perception even among my constituents sometimes that we have cut back funding on home care and that's the reason for some of the waiting lists and for some of the service having been cut back.

For the record, I want to make it very clear and reiterate here that the funding of the CCAC in York

region has in fact increased from \$33.5 million in 1998 to \$49.7 million this year. That doesn't sound like a cutback to me. It sounds like a pretty significant increase in funding for this important service. If we want to go back further, we would realize that we have increased home care funding for York region alone by some 193% from 1994-95, when it received \$16.9 million in funding.

This is not strictly an issue about funding, I want to remind people who are observing this debate—and they've clearly heard the members of the opposition, whose single track of debate has been, "Throw more money at this. Stop doing the other things you're doing and solve this problem," with the green poultice that liberalism and socialism would have us believe is the magic cure to all problems. It simply is not the case.

The encouraging thing that I believe the people in this province have in their favour is that they have a government that understands it's not simply about setting policy but about ensuring that whatever policy has been set is also monitored, and that the government has the courage to step in, when that policy isn't functioning the way it was intended, to make the necessary changes.

It's true that the community care access centres are a creation of this government. We rely on people on the front lines to deliver those services. I want to make it very clear that I don't have an issue with the front-line workers who are delivering very essential services in home care. These are people who are dedicated, who are willing to do the work, who take pride in doing this work and take a great deal of personal satisfaction from being able to help people. We should remind ourselves that it's not simply elderly who are served through community care access centres. Often it's disabled individuals, individuals with acquired brain injuries, people who simply need services at home.

This is not about the government taking issue with caseworkers or with social workers or with individuals who are providing home care—home care workers in this province. What it is is the government of this province understanding that something has gone wrong with a system that was intended to provide an essential service, that somehow some mismanagement has crept in, and if we as a government don't take the necessary steps to fix it, who will? In the past, what happened was that rather than fix the root problem, governments have chosen simply to throw more money at it and try to cover it up with layers and layers of veneer that, at the end of the day, really didn't solve the problem.

Thanks to the work of the Honourable Helen Johns, associate minister of health, this bill before us now is taking some serious steps to address the basic problem we are experiencing in the community care access centres. It took a great deal of consultation. This isn't about the government simply, by fiat, saying, "This is what we're going to do." The minister took the time to travel the province, to consult with stakeholders. I was part of that process and I know members opposite as well provided their input into what should be done and what needs to be done to deal with this issue.

1750

As a result of that consultation, we have a bill in front of us now that I, for one, am convinced is an important first step in dealing with this issue. The key areas of the Community Care Access Corporations Act, 2001, include, first of all, the authority to designate by regulation each individual community care access centre as a statutory corporation. Following that designation, the authority is inherent in the government to appoint board members by order in council. Why is that important? I, for one, was an advocate of this important point because I think it's unfair of us to expect volunteers within the community to sit at a table and have the responsibility of stewardship over a multi-million-dollar corporation, which effectively every CCAC will be under its new statutory framework, and expect people who have never had the responsibility of managing a major corporation, of managing personnel issues, of managing the fiscal responsibilities that are there—often well-intentioned, well-meaning, good people within our communities but quite frankly who are in over their heads in terms of being able to deal with many of these essential issues.

By allowing government to appoint members to the board by orders in council, it allows us, as well, at the front end to ensure that we have good, qualified people who have the ability to deal with some of these fiscal challenges, not only business people—and I agree with a comment that was made by a member opposite earlier that it's not just business people who should sit at these boards. There needs to be a perspective from, quite frankly, the front lines, volunteers in the communities who have other perspectives, whether that be health care or whether it be social services—

Mr Kormos: On a point of order, Mr Speaker: Is there a quorum?

The Deputy Speaker: Would the clerk advise if there's a quorum?

Clerk Assistant: Quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: Quorum is now present, Speaker.

The Deputy Speaker: Quorum being present, the member for Oak Ridges may continue.

Mr Klees: As I was saying, the issue of the board appointments: on the one hand, I think it's extremely important that we put qualified people on these boards and have the ability to do that. By "qualified," I don't mean just strictly having business experience, although I think that is an important cornerstone of these boards being able to do their job. It's important to have other perspectives and input, whether that be from the health care services, social services and other areas. I'm sure that that mix of board content will be there.

Following the designation of a CCAC, the authority to appoint its executive director by order-in-council appointment will also be available to us. Why is that important? I am one who believes that at the end of the day the board ultimately has the responsibility and any blame must be taken back to the board of directors. I place a great deal of responsibility on the board and the

chair of the board for overseeing the work that is done by the executive, by the administration, by the executive director. But it's the executive director who then must have the expertise, the knowledge and the experience to oversee that important corporation to ensure that the work is done. Once again, I think it's important that the government, which ultimately is going to be blamed for anything that goes wrong in any event—if in fact the government is to take on the blame, then it should also, I believe, have the responsibility and take on the responsibility of appointing people with the experience to be able to carry out the task.

The authority under this act is also granted to determine the number of CCAC board members. That, at the end of the day, I believe, is going to give us a good, solid footing on which we can begin to build the kind of organization that we have envisioned.

This government strongly believes in the importance of providing effective home care services to our dependent people in this province. I believe the piece of legislation that we have in front of us here is going to go a great distance to allowing us to do that.

I want to take this opportunity to thank the many who are involved in home care, either as professionals or as volunteers. We can't forget the amount of work that's being done in all of our communities across this province by volunteers in the area of home care. We can't forget and we want to acknowledge the amount of work that's being done, and has been done, by members of boards of directors of CCACs. These are not paid positions, and we're grateful for the work that's being done.

As we move through this restructuring phase, it is with a view to improving the services that we're delivering to make it better for all concerned. I'm sure, Speaker, you will agree that it is important to pass this legislation. We cannot delay. We have to get on with delivering these services, with making the necessary changes, and I welcome all members of this Legislature to assist in passing this legislation without delay.

The Deputy Speaker: It being almost six of the clock, this House stands adjourned until Monday, December 10, at 1:30 pm.

The House adjourned at 1758.

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**Legislative Assembly
of Ontario**
Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 10 December 2001

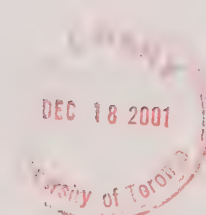
Lundi 10 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

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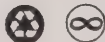
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 décembre 2001

The House met at 1330.

Prayers.

ESTIMATES

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): I have a message from the Honourable the Lieutenant Governor signed by her own hand.

The Speaker (Hon Gary Carr): The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 2002 and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

MUNICIPAL WASTE DISPOSAL

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): In 1995, Mike Harris wrote a letter to the president of Vaughan CARES to explain the Tory party's view on waste management in Ontario. He concluded the letter with this promise: "Please be assured that no municipality will be forced against its will by a Harris government to accept another municipality's garbage."

I have written an open letter to the five Tory leadership candidates to reaffirm this Tory promise. In my riding, Canadian Waste Services has proposed to increase the Richmond landfill site by six times its present size. I agree with the many residents who have written letters, phoned my office and signed petitions that this expansion is not in the better interests of this community.

The town of greater Napanee has passed a resolution that it is against the Richmond landfill proposal. Just last week, the municipality of Tweed rejected a proposal to create a 5,000-acre megadump within its boundaries.

The people of Ontario deserve to know if the five would-be leaders will respect the wishes of their communities when they say no to landfills. We also need to know what commitment these would-be leaders will make to our environment or if it will be more of the same tax-cut-at-all-cost agenda that has taken its toll on the landscape of Ontario.

HEART AND SOUL: THE STORY OF BETHESDA-REACH

Mr John O'Toole (Durham): I'm pleased to rise in the House to acknowledge the publication of a volume of local history about the former village of Bethesda. This book of 225 pages is entitled *Heart and Soul: The Story of Bethesda-Reach*. It will be officially launched December 15 at Utica Hall.

The Bethesda-Reach Women's Institute has worked tirelessly on this project for the past 18 months. The authors chiefly responsible for the book are Mildred Evans, Barb Evans, Corinne Croxall and Mary Jean Till. I would like to congratulate them on their efforts and also extend congratulations to all those who helped out in any way. The compilation of local history such as this is always a true community effort. I understand some of the research was originally conducted by the late Hilda Bailey, commemorating the centennial year, 1967. This book includes maps, photos and fascinating stories about local residents.

Many things have changed in Durham riding over the past 100 years, but one of the things that hasn't changed is a respect for the people and places of our past. This book shows that by remembering the past, we can better understand the present and face the future with pride and confidence.

As you are no doubt aware, the women's institute organization has helped to ensure that Ontario's rural communities continue to be vibrant and caring places to live, work and raise our families. Through the Tweeds-muir histories, they have documented the life and times of rural communities across Ontario.

I'd like to extend my thanks and best wishes to the Bethesda-Reach Women's Institute on their latest project. I am confident that their book will be a bestseller in Durham riding and indeed Durham region. In fact, it would be a great Christmas gift for any of the members to consider purchasing.

SOUND BERMS

Mr Steve Peters (Elgin-Middlesex-London): Minister of the Environment, I rise to bring forth an issue that demands your immediate attention. The Chief Firearms Office has been visiting gun clubs, enforcing the requirement to build sound berms by 2003. Made out of clean fill and dirt, they generally cost \$80,000 to \$90,000.

However, Atlantic Packaging and Ontario Disposal are offering free berms composed of pulp and paper mill

sludge. The problem is, there may be other forms of sludge in this composition. The berm in Oshawa has been tested positive for E coli. Another in Madoc has been ordered removed. A berm is to be built in my own riding at the East Elgin Sportsman's Association any day, on a sand plain where the water table is less than 10 feet deep. This will go ahead, despite the fact that no one knows how safe these mountains of sludge are.

By mixing the sludge with sand, Ontario Disposal gets around the loophole in regulation 347 of the Environmental Protection Act; they call it a product. Your ministry refuses to regulate products. Minister, you've been painfully silent on the issue, and you're more than aware of it. You quietly visited the Oshawa club; you know that there may be septage in these berms. Your silence and refusal to regulate mountains of sludge are leaving these gun clubs hung out to dry. Under the EPA, they will be liable for any adverse effect, yet you and your ministry continue to refuse to warn them.

Minister, you must speak up today and show that leadership that you aspire to and tell us how you plan to stop these mountains of sludge across this province.

SANTA CLAUS

Mrs Julia Munro (York North): It is the season to be merry. Today I would like to speak about that merry, jolly man, Santa Claus, easily one of the world's most popular and mysterious characters.

We know he lives in the North Pole with Mrs Claus, and we know he and his elves load the sleigh each Christmas Eve for a marathon trip around the world. But little is known about his past.

Some historians believe the legend started in the fourth century when Nicholas, the first bishop of Myra in Asia Minor—today modern Turkey—became known for his kindness to children and for helping the needy. Santa has been depicted as everything from a pixie, a leprechaun, even a gnome. But credit must go in part to the Coca-Cola Co that the jolly fellow has an image that is well-known and enduring around the world as a plump man in a red suit and white beard.

Popularly known as the Sundblom Santas after the artist, the series of Santa Claus oil paintings were used for a number of special Christmas advertisements for Coca-Cola beginning in 1931 and carrying through the next six decades. The Sundblom Santa is remarkable for several reasons, most notably because of the way he captured the essence of St Nicholas. Sundblom created an enduring symbol, the spirit of kindness and giving that is Christmas.

NORTHERN MEDICAL SCHOOL

Mr Michael Gravelle (Thunder Bay-Superior North): As the northwestern Ontario campaign to seek equal status for Thunder Bay for the northern medical school heats up, it seems to me that a few things need to be said about how unfairly this process has so far played

out. This strikes me as particularly timely, as it is my understanding that Health Minister Clement will be in Thunder Bay sometime this week and Sudbury Mayor Jim Gordon will be gracing us with his presence early next week.

As far as Mayor Gordon is concerned, there are a few questions I believe he must answer. First of all, Mayor Gordon, at what point did you decide to stab Thunder Bay in the back? After a period of working co-operatively with Thunder Bay on the original dual-campus model, when exactly did you learn that Sudbury was to be given the full medical school? When that happened, why did you not inform Thunder Bay Mayor Boshcoff that the original proposal was no longer being considered, or to put an even more sinister edge on this, were you working all along in opposition to the original proposal?

If my remarks sound a tad bitter, I will freely acknowledge that they are. Many people in northwestern Ontario have worked very hard to make this project a reality, and quite frankly they felt at the end of the day that they had been duped. Clearly the finger should be pointed at Mayor Gordon.

For those who view this medical school as only having long-term benefits, let's look at the fact that 19 physicians have agreed to come to Sudbury to work since the April announcement. Clearly the fact that a medical school is to be located in one's community has short-term benefits as well in terms of physician recruitment.

I say to Health Minister Clement, if you are remotely sincere about your stated goal of attracting more physicians to the north, you will see how vital it is that Thunder Bay become an equal partner in this new medical school.

1340

ONTARIANS WITH DISABILITIES LEGISLATION

Mr Tony Martin (Sault Ste Marie): I stand today to thank all those people across Ontario who participated in the hearings, however limited, that took place in Ottawa, Windsor, Toronto, Thunder Bay and Sudbury with regard to Bill 125, the Ontarians with Disabilities Act, and the shadow hearings in London on Saturday. My apologies to all those who couldn't attend because we didn't come to your community.

It needs to be known that we in this caucus encouraged the government to take their time, to wait until January, February or March, when they could go out and visit more smaller and larger communities in different places across this province. It's a huge province and transportation is a huge challenge, particularly at this time of year. Many people did not have their voices heard. Many of you have been working on this effort to remove barriers for those living with disabilities for a long time now, some since the early 1970s, working to have an effective Ontarians with Disabilities Act enacted

in Ontario. I heard you and our caucus heard you as you called for major amendments to Bill 125.

Ladies and gentlemen, today's the day. Today is a very important day in the very young life of this bill. We'll find out today if the government actually heard those submissions so ably delivered and if the government is serious about giving this bill some effectiveness and some teeth, because today they will table their amendments, or they won't, and we'll be watching.

NORTHERN ONTARIO WELDING SCHOOL

Mr Garfield Dunlop (Simcoe North): I'm pleased to rise this afternoon to speak about the official opening of the Northern Ontario Welding School that I had the pleasure of attending in Barrie last Friday.

The Northern Ontario Welding School's approach to training is to provide students with the skills and work ethic required in today's workforce. With the school emulating a work environment with proper safety procedures, scheduling, reading of blueprints and instilling a good work ethic, students are prepared to meet the demands of the workforce.

Students work eight hours per day, either day or afternoon shifts, five days a week. Attendance is mandatory and progress is closely monitored. By course completion, students have a good idea of what to expect from the industry and how their own strengths and skills will meet the demands from potential employers.

Northern Ontario Welding School's training program is based on knowing the needs of industry and developing training programs to meet these needs. The school employs specialized instructors with many years of welding experience in industry and as teachers. Students benefit from the low student-teacher ratio, giving each student adequate individual attention and additional training as required to pass a test and become a certified welder.

I congratulate president Bill Mandris and his staff for this important investment in Simcoe county and for the use of our province.

HOME CARE

Mrs Sandra Papatello (Windsor West): I want to talk about Bill 130, the home care bill, a bill that should be withdrawn, a bill that we should not debate in this House, a bill that should be thrown right out the big window behind the Speaker's chair.

Because of this bill, which is a hostile takeover, a gag order of home care agencies across Ontario, people like Cathy Chisholm in Niagara will not be able to tell us, after this bill is passed, that there's a \$9.2-million shortfall in home care requirements in the Niagara region. There will not be a Cathy Chisholm to tell us that the brunt of these cuts are being faced by children; that waiting lists for speech, physiotherapy and occupational therapy have quintupled since last year; that just under 2,000

school-aged children were waiting for therapy, compared to just 400 in previous years.

This information will not be available to us because of your hostile takeover. What we know is, this is this government's attempt not to properly fund home care, to take beds away from hospitals and force people into home care, and to give no monies to properly service these individuals.

Let me say again, Bill 130, this home care bill, should be thrown right out the window behind the Speaker's chair. This bill should die today.

CHRISTMAS

Mrs Tina R. Molinari (Thornhill): As Christmas fast approaches, many of the Thornhill residents I represent will not only celebrate the joy of a holiday, but will celebrate the importance of a very special holy day.

While Christmas has become associated with Santa Claus, Christmas trees, the traditions of giving presents, reuniting with family and sitting down to a bountiful meal, we must not forget that Christmas is a celebration by people of the Christian faith honouring the birth of Jesus.

Now in the second full week of Advent, Thornhill Christians are busy making preparations for the commemoration of the birth of Jesus. Each of the four weeks of Advent symbolizes a different way in which believers perceive Christ: through the flesh, the Holy Spirit, death and Christ's judgment of the dead. Special masses will be held in many parishes throughout Thornhill and across the province commemorating and celebrating the birth of Jesus.

I will have the pleasure of participating in the readings at St Paschal Baylon church on Christmas Day. The story of Christmas will be retold and passed on to generations of believers so that they will understand and appreciate the significance of this very special celebration.

While most of us take comfort knowing we will be able to spend time with our family and loved ones, I ask that we remember the less fortunate and extend our hands with friendship, love and faith during this special season.

Not only would I like to wish the residents of Thornhill a very merry Christmas, but I would like to extend my greetings to the over 1.8 billion Christians throughout the world who celebrate this special event. I would also like to extend a merry Christmas and happy holidays to all the members of the Legislature.

VISITORS

Ms Marilyn Mushinski (Scarborough Centre): On a point of order, Mr Speaker: I am very pleased to welcome Mr Tony Gulotta, president of the Scarborough Centre Chamber of Commerce, who is in the east gallery this afternoon.

The Speaker (Hon Gary Carr): While we are welcoming honoured guests, I would like to inform the members that we have with us today in the Speaker's

gallery a delegation from the House of Peoples' Representatives of the Federal Democratic Republic of Ethiopia. Please join me in welcoming our special guests.

COMMISSIONERS OF ESTATE BILLS

The Speaker (Hon Gary Carr): I beg to inform the House that the Clerk has received a favourable report from the Commissioners of Estate Bills with respect to Pr2, An Act respecting Wycliffe College. Accordingly, pursuant to standing order 86(e), the bill and the report stand referred to the standing committee on regulations and private bills.

INTRODUCTION OF BILLS

SUPPLY ACT, 2001

LOI DE CRÉDITS DE 2001

Mr Tsubouchi, on behalf of Mr Flaherty, moved first reading of the following bill:

Bill 149, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002 / Projet de loi 149, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2002.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The Chair of Management Board?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): This is commonly referred to as the Supply Act. It is the formal approval by the Legislative Assembly of all the money that is spent by the government of Ontario over the year.

This follows the process, first, of the budget, a committee hearing estimates and, finally, the concurrence by this assembly in the estimates process that was done by committee.

This bill gives the government the authority to spend money in accordance with those estimates.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): We have one motion today. I move that, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Monday, December 10, and Tuesday, December 11, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1350 to 1355.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Gill, Raminder	Munro, Julia
Baird, John R.	Hardeman, Emie	Mushinski, Marilyn
Beaubien, Marcel	Hodgson, Chris	Newman, Dan
Chudleigh, Ted	Hudak, Tim	O'Toole, John
Clark, Brad	Jackson, Cameron	Ouellette, Jerry J.
Coburn, Brian	Johns, Helen	Runciman, Robert W.
Cunningham, Dianne	Johnson, Bert	Sampson, Rob
DeFaria, Carl	Kells, Morley	Stewart, R. Gary
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Miller, Norm	Wilson, Jim
Gilchrist, Steve	Molinari, Tina R.	Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Di Cocco, Caroline	McLeod, Lyn
Bartolucci, Rick	Dombrowsky, Leona	McMeekin, Ted
Bisson, Gilles	Duncan, Dwight	Parsons, Emie
Bountrogianni, Marie	Gravelle, Michael	Patten, Richard
Boyer, Claudette	Hampton, Howard	Peters, Steve
Brown, Michael A.	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Caplan, David	Lalonde, Jean-Marc	Pupatello, Sandra
Colle, Mike	Levac, David	Ramsay, David
Conway, Sean G.	Marchese, Rosario	Sergio, Mario
Crozier, Bruce	Martel, Shelley	Smitherman, George
Curling, Alvin	Martin, Tony	Sorbara, Greg

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 39; the nays are 36.

The Speaker: I declare the motion carried.

INTERNATIONAL HUMAN RIGHTS DAY

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): I ask for a unanimous consent to do a five-minute statement to celebrate International Human Rights Day.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed? Agreed.

Hon Mr Jackson: It is an honour today to invite all Ontarians to join in celebrating International Human Rights Day. Today marks the 53rd anniversary of the signing of the United Nations Universal Declaration of Human Rights, a landmark document recognizing the dignity and inherent rights of all people.

Ontario is significantly proud of its efforts to ensure the human rights of every individual in this province. In fact, Ontario has played a defining role in the history of human rights in our nation. In 1962, it became the first province to establish a Human Rights Commission and the first to legislate a Human Rights Code. That code, backed up by the Canadian Charter of Rights and Freedoms, has set standards of human rights and entitlement

that are the envy of the world, rights that have strengthened and will continue to strengthen.

On May 1, 2001, as Minister of Citizenship, I announced that the Human Rights Code would be amended and improved after almost 40 years. This will be done in the new year, following public consultations.

1400

As a result of the terrorist attacks on the United States on September 11, it is especially important this year for us to adhere to our fundamental commitment to safeguard the rights of all our citizens. Those attacks in the US were an assault on human rights, the like of which we have never suffered before in North America. The savage murder of thousands of innocent people, using passenger aircraft as missiles of destruction, is beyond our comprehension. And yet, while those attacks have caused us all to re-examine our lives, the people of Ontario have stood strong and united in their condemnation, no matter what their birthplace, background or faith. When a few misguided individuals directed hate toward Muslim, Hindu and Arab communities in our province, Ontarians quickly rallied to their neighbours' and citizens' support.

The government, led by Premier Mike Harris, was equally fast to reaffirm our fundamental commitment to protecting the rights of all our citizens. Our commitment to human rights advancement is greater today than ever before, and I believe that as a result of the events of September 11 we have become even stronger in our relentless fight against racism, bigotry and discrimination.

Ontarians have taken up arms against attacks to eliminate human rights, using weapons Canadians are renowned for: the weapons of peace, justice and tolerance. When action is required, rest assured that our province will take it. There will be no negotiations when it comes to maintaining human rights; they will be vigorously protected and jealously guarded.

This provincial Parliament's record demonstrates its continuing commitment to ensuring that all our citizens are treated equally. The record is apparent in our province's readiness to welcome immigrants from around the world, to embrace different cultures and to celebrate them. Here in Ontario, we receive 100,000 newcomers every year, more than any other province. To assist those newcomers in becoming full citizens as soon as possible, this government spends about \$45 million annually on resettlement programs. Immigrants built this nation and this province, and they continue to bolster its economic stability and success.

A further demonstration of this government's intent to allow all Ontarians the right to the benefits of full citizenship and full participation was demonstrated with the tabling of the Ontarians with Disabilities Act, Bill 125, the most far-reaching legislation of its kind ever introduced in Canada. It is appropriate that this week an all-party legislative committee of this House will consider clause-by-clause amendments, after consultations with the broader disabilities community, to strengthen this important benchmark legislation.

Ontario's record of advancing the cause of human rights and fostering a climate of improved understanding and mutual respect between people is unparalleled. It is a record of which we are proud. It is a record on which we will continue to build.

This government has an outstanding record in supporting the rights of women, children and seniors. Across Ontario, the government will spend about \$145 million this year, in a number of ministries, on programs and services to prevent violence against women and their children. The government also has a number of initiatives to safeguard the future of our growing and aging seniors population, including a \$68-million initiative to combat Alzheimer's disease, the first such comprehensive plan in Canada.

Now more than ever, we must all be determined to take further steps to make this new century a true age of equal opportunity for all of our citizens, one in which each individual is treated with generosity, compassion, dignity and respect. To deny the human rights of one person simply denies the rights of us all.

Mr Gregory S. Sorbara (Vaughan-King-Aurora):

As my party's critic for human rights legislation, I am pleased and honoured to be able to rise today to say a few words on this, the 53rd anniversary of the Universal Declaration of Human Rights.

Before I do so, I might just express a little bit of shock that in the context of unanimous consent to speak about Human Rights Day around the world, my friend from Burlington would take the opportunity to do a five-minute commercial for his government, but he'll have to live with that.

Mr Steve Gilchrist (Scarborough East): That's fine. You'll take five minutes to slag the government.

Mr Sorbara: No, I am not going to take five minutes to slag the government, I tell my friend.

The preamble to the Universal Declaration of Human Rights includes the following: "Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world"—I repeat, "the foundation of freedom, justice and peace in the world." The foundation of that is the inherent dignity, equality and inalienable rights of every member of the human family.

That declaration was passed by the United Nations on December 10, 1948; 53 years ago the world gathered together to make a profound commitment to the equality of every human being in the world. This is a living document and is the first pillar of the 20th-century human rights laws and the cornerstone of the universal human rights movement.

I think it is appropriate for us on this day to reflect on where we have been and where we yet need to go. Of course, that universal declaration came after the horrendous conflict of the Second World War, characterized in such large measure by the genocide of the Jewish people across Europe, and so fitting it is that that declaration came in the light of those atrocities. Yet since then, over

the course of the past 53 years, our challenge as legislators, whether in Ontario, Canada or around the world, becomes increasingly important.

Today, as I speak here, there is a brutal conflict going on on the other side of the globe, in Afghanistan, and the issue of human rights confronts us there. My friend Rick Patten, just moments ago, tabled a resolution in this Legislature about the severe violation of human rights in Burma. But I think today that we need not go across the globe, that we need to look at what we are doing right here in our own province and in our own country.

We have recently, in Ottawa, passed legislation that has the capacity to severely restrict human rights that we as a people have fought for for a long time. We need to be very vigilant that, in the wake of September 11 and the enhanced importance of security, we do not allow ourselves in this great nation to once again trample on basic human rights.

Now to respond, just for a moment, to my friend from Burlington who celebrates the record in Ontario, I agree with him that he has made, and we have made and successive governments have made important steps, but let me remind him, if he needs to do political battle on this subject at this time, that the human rights commission in Ontario is, unfortunately, an embarrassment. Individuals who go before that tribunal are asked to wait literally for years and years for justice.

Let us not think that the battle to protect and enhance human rights in Ontario is over. We have much to do for communities that historically have been on the margin and have suffered the tyranny of the majority in this province.

I invite all my friends in this Legislature to celebrate our undying commitment to human rights for all Ontarians and for all Canadians.

1410

Mr Peter Kormos (Niagara Centre): I'm pleased, on behalf of the New Democratic Party caucus, to speak to this first International Day for Human Rights of the 21st century, and I will be joined by our leader, Howard Hampton.

It's an important day because it presents us with an opportunity, in this instance here, as legislators, to lend our voices in support of Amnesty International's call for a global coalition for human rights. The struggle for human rights is a global pursuit. It's been a passionate interest of many of us of my generation ever since our first awareness and vicarious sharing of the pains and the victories of the civil rights movement of the 1950s in the United States. Certainly for many of that same generation, the war in Vietnam and the struggle to end that war raised our consciousness of human rights and the need to engage in the struggle for international human rights.

We've continued our involvement with a wide range of human rights movements because we believe that justice and human dignity are fundamental rights that ought to be enjoyed by every person of every nation, every colour, every creed, every ethnicity and religion. Justice and human dignity are fundamental rights that

must be enjoyed by people of every gender and every sexual orientation.

I'm proud to say that just this morning I participated in a press conference here at Queen's Park calling upon all three parties in this assembly to support a resolution to condemn human rights violations in Burma. In 1990, Nobel laureate Aung San Suu Kyi, leader of the National League for Democracy, won 82% of the votes in Burma's national election. The military regime running that country, the SPDC, has refused to heed the will of the people and has confined Aung San Suu Kyi to house arrest for over 10 long years. She has called upon nations internationally to join in economic sanctions in condemnation of that military dictatorship in Burma, yet our own federal government continues to indirectly support Burma's dictatorship by facilitating and indeed allowing Canadian companies to trade and invest in Burma.

Listening to what other people in the world have to say is the first step toward advancing a global human rights agenda. In August, Rosario Marchese and I joined a delegation of elected leaders, labour representatives and community activists on a mission to Colombia known as the Minga campaign for peace and against violence. There, we listened to the stories of hundreds upon hundreds of people, many of them aboriginal people, women and members of displaced communities, who have suffered at the hands of right-wing paramilitary groups and drug cartels. Human Rights Watch reported that military thugs and drug lords in Colombia account for 85% of that country's political violence and human rights violations. In Colombia, like everywhere else in the world, it's the voiceless who suffer the most. In Colombia this last year alone, there have been an estimated 1,655 terrorist attacks. That makes for seven each day. People live in chaos. We met those people in Colombia. Four presidential candidates, one Minister of Justice, hundreds of police, Supreme Court judges, priests, journalists, teachers and labour leaders have been assassinated indiscriminately. Between 1995 and the year 2000, 3,656 innocent civilians were slaughtered, 7,300 people were kidnapped, and hundreds of towns and villages have been ransacked and burned, torched in a campaign of terror.

Given the extensive abuse of human rights in nations around the world, it is unfair to pick one nation and yet not another. That's where we, as Canadians, have to be very conscious of the fundamental rights and freedoms that people in this country acquire, not by birth here, not even by citizenship here, but by virtue of setting foot on Canadian soil—those fundamental rights and freedoms currently under attack by way of Bill C-36. That attack is as serious as any attack on human rights. We must stand vigilant in opposition to it.

Mr Howard Hampton (Kenora-Rainy River): I want to join in the recognition of the United Nations' International Human Rights Day to point out to all members that while we are here, literally hundreds of thousands of people in Afghanistan are in danger of starving to death over the next few weeks.

I'm asking all members to join with organizations such as Oxfam Canada, Toronto's Faith Action Network, the Steelworkers Humanity Fund and UNICEF in engaging in a day of fasting and at the same time contributing financially to organizations like UNICEF so that they may provide and distribute food to the hundreds of thousands of people in Afghanistan, including tens of thousands of children, who are in danger of starving. If we cannot feed ourselves, we cannot observe human rights.

MEMBER'S BIRTHDAY

The Speaker: The member for Hamilton East on a point of order?

Mr Dominic Agostino (Hamilton East): Actually, on a point of interest to the House, Mr Speaker, I'm sure all of us would join in extending best wishes for a happy birthday to my colleague Marie Bountrogianni from Hamilton Mountain.

VISITORS

Mr Howard Hampton (Kenora-Rainy River): On a point of order, Mr Speaker: I want to point out to all members that Cindy Haney, Doris Mengellberg and Pam Constable from the OSSTF are here. They are here to point out that there is a six-week strike in place by special education assistants against the Keewatin-Patricia school board, and they are asking for our support to find a resolution.

ORAL QUESTIONS

PROTECTION OF PRIVACY

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the associate minister of health. Minister, the relationship between patient and doctor is sacred. People tell their doctors things they would not tell to anyone else. Their relationship depends on trust. But your government is threatening that relationship with your mishandling of patient files and information technology.

Today we learned that the privacy commissioner is investigating allegations that the privacy of patient files has been compromised. This comes, incredibly, just one month after doctors in Chatham started using your brand new record-keeping technology.

Minister, how could you have failed to make absolutely sure that the privacy of patient files would be maintained in your new system?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): As the member opposite knows, the government is absolutely committed to ensuring privacy and confidentiality of patient records. The member also knows, because she's had an opportunity to talk to the Information and Privacy Commissioner today, as has the Ministry of Health—the Ministry of Health

tells me that they have heard from the Information and Privacy Commissioner and they have been informed by the Office of the Information and Privacy Commissioner, that there is no investigation going forward. I know that she knows that, so I'm kind of in a quandary about the question.

This government has moved forward with smart systems for a health program. They are designed to enhance patient safety. They are enhanced to make sure that the personal health information of the client is secure, and we have been in contact with the Information and Privacy Commissioner through all of our discussions, because we're committed to ensuring that records are safe.

Mrs McLeod: I hope we're not going to play word games with something as serious as personal health information and its confidentiality. The privacy commissioner is conducting what she has termed "fact-finding" into the allegations that have been made against the violation of the privacy of patients' medical records. The allegations are serious, Minister. They are allegations that private companies have been given access to patient information, that patients were not fully informed about what happens to their health information, that raw data are given to technicians for tracking. There is even an allegation that a technician took home tapes with thousands of medical records and that some of those tapes were lost or misplaced.

There is nothing more sensitive than your medical record, and physicians who hold those records in trust were promised a technology that would be absolutely secure. I suggest to you that that is not what you have given to them, and your failure has shattered confidence in the privacy of medical records. Minister, what steps will you take now to ensure that that confidence can be restored and that patients' medical records will be kept completely confidential?

Hon Mrs Johns: The only person in this Legislature who's shattering confidence is the member opposite. As we were moving forward to bring the Ontario Family Health Network into place, we talked to the Information and Privacy Commissioner. I have a letter from the Information and Privacy Commissioner. The ministry tells me they have worked with the Information and Privacy Commissioner through every step of the process. They inform me that they have talked to the Information and Privacy Commissioner all the way through the process, and again today.

Let me say that this government is committed to providing quality health care. We're committed to ensuring that patient records are kept safe and sound. We have worked with the doctors in the Chatham-Kent area and the Ontario Medical Association to make sure that we provide the Ontario Family Health Network in that area. It's a pilot project—

The Speaker (Hon Gary Carr): Order. The minister's time is up.

1420

Mrs McLeod: Yes, indeed, the Ministry of Health did work with the privacy commissioner before the system

was set up. One month after the system is in operation, it becomes apparent that a hacker on the Internet system can access a patient's personal medical information. That is not good enough; a simple denial is not going to restore confidence in the privacy of records being maintained.

Minister, you knew how difficult it was going to be to make sure that computerized medical files would be secure. It is the single greatest issue that was raised in the privacy hearings when your government tabled health privacy legislation. But instead of dealing with the challenges, what you did was pull the bill and forge ahead with your new technology. We know that at the same time this is happening, you're forging ahead with new smart card technology.

Minister, I stress again the sensitivity of personal medical files. Will you assure us today that you will stop experimenting with patients' medical files and their records until you bring in health privacy legislation that ensures that patients have true protection?

Hon Mrs Johns: Let me say that we were very careful as we moved forward with the Ontario Family Health Network. As you know, someone can break into a doctor's office, open a file cabinet and get health records, and that can't be stopped. But when it comes to putting records on the computer, we had an organization, a recognized company, come in and look at the records. They told us that they tried for two days to hack into the records and were unable to do that. We have a written report from the company saying so. We also fully informed the patients. The patients have to enter into an agreement with the family health network to ensure that they understand what is happening.

So let me tell you that we have done a great deal to try and ensure that all records in the province of Ontario are safe. Personal health information is the most important piece of information a person has, and we are acting to ensure that those records are as safe as is humanly possible.

HÔPITAL MONTFORT

MONTFORT HOSPITAL

M. Jean-Marc Lalonde (Glengarry-Prescott-Russell) : Ma question s'adresse au ministre délégué aux Affaires francophones. Vendredi dernier, la Cour d'appel de l'Ontario a rendu sa décision au sujet de l'hôpital Montfort d'Ottawa. La cour rejette donc l'appel de votre gouvernement et confirme l'ordonnance de la Cour divisionnaire, qui annulait les directives de la Commission de restructuration des services de santé. La balle est dans votre camp, monsieur le ministre, ainsi que celle de votre collègue le ministre de la Santé.

La Cour d'appel reconnaît que l'hôpital Montfort est le seul hôpital en Ontario à fournir un vaste éventail de soins de santé et de la formation médicale dans un milieu francophone.

Monsieur le ministre, n'eût été le comité SOS Montfort, présidé par M^{me} Gisèle Lalonde, et la communauté francophone qui s'est mobilisée, la communauté francophone de l'Ontario aurait perdu une institution essentielle.

Il faut dire que ceux et celles qui connaissent l'hôpital Montfort savent très bien que la décision de la commission ne correspond absolument pas à la réalité. Monsieur le ministre, ma question : allez-vous enfin reconnaître l'importance fondamentale de Montfort ? Est-ce qu'on lui accordera le financement qui lui revient ? Aussi, est-ce que le gouvernement est prêt à faire des excuses publiques pour les dépenses inutiles encourues et aussi pour le stress et l'inquiétude causés à la communauté francophone ?

L'hon John R. Baird (ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones) : La provision de bons services de qualité en français pour les citoyens de la province est quelque chose qui est vraiment une priorité pour notre gouvernement. C'est quelque chose pour lequel on continuera de travailler très fort.

Vendredi matin, il y a eu la décision de la Cour suprême de la province de l'Ontario. Les juges ont pris six, sept, huit, neuf mois pour penser à leur décision et pour en créer une. Selon nous, il est très important de prendre le temps de lire une décision de plus de 60 pages. On va prendre quelques jours, quelques semaines pour avoir une bonne connaissance de la décision avant de prendre une décision.

Je vais dire à mon collègue, le porte-parole pour le Parti libéral dans le domaine des services en français, que la provision de bons services en français est quelque chose qui est vraiment important pour nous, et on va continuer de travailler très fort.

M^{me} Sandra Pupatello (Windsor Ouest) : Monsieur le ministre, vous avez dépensé des milliers de dollars pour tenter de réduire les droits linguistiques de la minorité dans cette province. Vous avez tenté de fermer cet hôpital, qui est à la base des services médicaux en langue française dans la province. Sans la Loi sur les services en français des Libéraux, vous auriez pu réussir.

Cinq années d'incertitude à Montfort ont eu des effets négatifs sur le moral du petit nombre de médecins et d'infirmières francophones que nous avons. Certains ont été forcés de partir. Un autre appel ferait encore plus de tort aux services de santé.

Monsieur le ministre, allez-vous mettre fin à votre guerre pour fermer Montfort ? Pouvez-vous promettre ici et maintenant que vous ne ferez pas appel de cette décision ?

L'hon M. Baird : C'est bien sûr quelque chose qui est très important. On a travaillé très fort comme gouvernement pour améliorer les services en français. La question de la provision de services en français, ce n'est pas la question devant nous. C'est la question de la provision de bons services de qualité en français, pas seulement dans la région d'Ottawa-Carleton et dans l'est de la province

mais partout dans la province. On va continuer de travailler très fort.

On a reçu une décision de la cour vendredi. C'est une décision de plus de 60 pages. Je sais qu'il y a des gens qui voudraient avoir une réponse cinq minutes après que la cour a rendu sa décision. Selon nous, il y a des choses qui sont près de la constitution, qui sont près d'autres choses légales, et il est important de prendre quelques jours au moins d'avoir la chance de lire la décision de la cour et aussi d'avoir une connaissance de comment on va suivre la décision.

Bien sûr, on va continuer de travailler très fort pour être sûr que l'on continuera d'offrir non seulement des services en français mais de bons services de qualité en français.

Mrs Papatello: Minister, you were asked a simple question: will you be appealing this? We are telling you that, on behalf of the francophones of Ontario, we expect that you will not. You have spent hundreds of thousands of dollars fighting the francophone community over this hospital and you owe it to them not to appeal the decision.

We in this party celebrate the Monfort Hospital and we celebrated those bilingual services being available. You have fought them every step of the way. We are asking you, Minister, today to stand on your feet and say, "We will not fight Montfort. We will fight to maintain these services." After five years, Montfort today was celebrating and we on this side of the House celebrated with them. Minister responsible for francophone affairs, will you stand in the House today and say you will not appeal this decision?

L'hon M. Baird : Selon moi et selon tous les députés de mon côté de la Chambre, il est très important d'avoir une connaissance des ramifications du jugement. On va prendre quelques jours pour entendre les résultats du jugement.

Il est aussi très important d'avoir un dialogue entre nous et les gens à l'hôpital Montfort pour être certains que les bons services de qualité sont disponibles non seulement dans la communauté d'Ottawa-Carleton mais aussi dans l'est de l'Ontario, avec la formation et les besoins de tous les francophones de la province.

Il est très important pour nous de prendre ces quelques jours et aussi d'avoir l'opportunité de parler avec nos partenaires dans le domaine de la provision des services en français et avec les gens qui ont appuyé fortement l'hôpital Montfort dans le passé.

ALGOMA STEEL CORP

Mr Howard Hampton (Kenora-Rainy River): My question is to the acting Premier and it concerns what is happening on this very day in Sault Ste Marie.

People in Sault Ste Marie are very concerned that the core of their economy, Algoma Steel, which provides tens of thousands of full-time jobs in Ontario, may be allowed to go under. For months the steel workers have been at the table trying to put together a reorganization

package. The question is, where has your government been and where has the federal government been? Why haven't you been at the table, demanding that the note holders and the banks come together and put together a package to reposition Algoma Steel and the tens of thousands of full-time jobs that it represents? Why aren't you at the table? Why haven't you demanded that the Liberals in Ottawa join you at the table? Are you prepared to allow tens of thousands of full-time jobs to fail?

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): The Minister of Economic Development and Trade wants to answer this question.

Hon Robert W. Runciman (Minister of Economic Development and Trade): Contrary to what the leader of the third party is suggesting, the Ontario government has been very much at the table with respect to ongoing discussions with Algoma Steel, the bondholders, and others who are participating in this decision. In fact, as I understand it, there will be an appearance in court later today, this afternoon, with respect to some changes in the agreement that was rejected by the bondholders last week. So it's clear we are participating. We've been playing a very active role in trying to save Algoma.

1430

Mr Hampton: We're now at H-hour, D-Day in this process, and your government's response thus far is only to be concerned about the pension fund. That's important, but you've got a much broader, much bigger leadership role. What we've needed from your government is to say clearly and publicly that you are not prepared to allow Algoma Steel to go under, and to say clearly and publicly that the Liberals from Ottawa should join you at the table and should say to the noteholders and the mortgage holders that there must be a restructuring of the debt, that there must be a repositioning of the company, because Ontario cannot afford to lose another 10,000 jobs on top of the 28,000 full-time jobs that were already lost in November.

Are you prepared to say that clearly and forcefully today, so that the noteholders, the mortgage holders and the banks cannot back away from this, that they must be at the table, that they must commit to a repositioning package today? Say it now, loud and clear.

Hon Mr Runciman: What I will say is what we've been saying for some time. We've had Mr Bill Farlinger, current chairman of the board at Ontario Power Generation, representing the government in the restructuring discussions, in an effort to protect the interests of the pensioners covered by the pension benefits guarantee fund. We've done that. We're playing that role. That's a role we feel is critical to the pensioners at Algoma. We will continue to play that role. We have no intention to go beyond that commitment. We feel there are efforts being made, in a very strenuous way, to find accommodation with all the stakeholders, Ontario being one of them. We remain hopeful that there will be an accommodation.

The Speaker (Hon Gary Carr): Final supplementary, the member for Sault Ste Marie.

Mr Tony Martin (Sault Ste Marie): Minister, that's just not acceptable. The future of my community is in jeopardy. The Steelworkers have slogged away for six months trying to save Algoma Steel. We're five minutes to midnight on this deal. You could breathe real life into Algoma's restructuring plan by coming to the table and playing a strong role, instead of letting the noteholders dictate the future of my community. Will you at least get the Premier to co-sign an all-party letter, on behalf of your government, demanding joint federal-provincial action that will save Algoma and the future of Sault Ste Marie?

Hon Mr Runciman: We are certainly concerned about the impact any negative decision could have on the community. We want to work with the community to assist them. We've been doing a number of things over the past few years to help diversify the Soo economy. We will continue to work with them to try and address those broader concerns.

With respect to Algoma, we are playing a role; we are at the table; we feel we're filling an appropriate role there. The federal government, as the member opposite indicates, has not been to the table. I would encourage him to address his concerns in that direction.

PROTECTION OF PRIVACY

Mr Howard Hampton (Kenora-Rainy River): My question is to the Minister of Health. People across Ontario today learned that the confidentiality of their health records once again may be at stake under this government. This time it's your electronic patient information database. You indicated earlier that there is not a problem. But we spoke to the Information and Privacy Commissioner, who told us this morning that she is going to demand a meeting to seek clarity as to what is happening, that the meeting will take place on Wednesday of this week, that so far there has been no full program review of what is happening and that she wants to understand how confidential information could possibly have gone home with someone.

Can you tell us why an investigation, a meeting with the privacy commissioner, is now required by the privacy commissioner when you're trying to tell everyone everything is fine?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): As I said earlier, we've been working with the Information and Privacy Commissioner over the last number of months to ensure that this goes forward. We've also not entered into the Ontario Family Health Network until we had the OK from the Information and Privacy Commissioner.

Let me say that I'm always happy to meet with the Information and Privacy Commissioner. I believe that the Information and Privacy Commissioner provides valuable service to the Legislature. I'm always open for a

meeting with the Information and Privacy Commissioner. We're happy to do that.

Up until this point, we have kept her informed, we have let her know about the things that we are doing with the Ontario Family Health Network, and she has written a letter to explain some of her happiness with that. If she wants to meet with me, I'm sure that she will be calling, and I of course will openly welcome her to my office.

The Speaker (Hon Gary Carr): Supplementary?

Ms Shelley Martel (Nickel Belt): Minister, we'd appreciate if you'd table the letter that you have been swinging around so we can see what the date of that is.

You also don't clearly understand that Ms Cavoukian is meeting on Wednesday with the smart systems people to find out what has happened specifically with respect to the allegations raised this morning. Not just some simple meeting to come and say hello, she is coming to meet with you to discuss the serious allegations which are now a matter of public record.

It's very clear, Minister, that your system for storing personal medical files was not designed with privacy protection as the priority, but it's also very clear that implementation of such a system demands that level of the highest security of people's medical information. It certainly doesn't mean that a technician can take home tapes for several nights, tapes that include thousands of medical records.

We want to know from you specifically today, what concrete steps are you taking to deal with these very serious allegations, and what are you going to do to reassure the public that the security of their medical records is guaranteed?

Hon Mrs Johns: Mr Speaker, I have to tell you that it's difficult to take constructive criticism from the party opposite. When their government was in power in 1992, the provincial audit report said that the ministry at that time "had not defined access rules and ensured that existing controls ... were adequate to protect the confidentiality and integrity of the information....We determined that over 12,000 computer users could potentially access and change registration information without authorization."

We have not gone there. What we have is a small project with 7,000 people rostered in the Chatham-Kent area. We have those patients talking to their doctors. They understand what the system is. We have a system that was discussed with the Information and Privacy Commissioner. We have worked all the way along with companies to ensure that we could maintain records in a safe way—

The Speaker: The minister's time is up.

HIGHWAY 407 TOLLS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Transportation. Somebody's not telling the truth about the tolls on the 407.

Just before the last election, your government very clearly said that you had an agreement that would protect

the users. You said that this agreement would mean that tolls could increase by about 3 cents per kilometre after 15 years—after 15 years, up 3 cents a kilometre.

In a document that the 407 corporation has released, they've said something quite different. They've said that, provided certain traffic flows are met, tolls may be raised "without limit."

After a two-year fight with the Privacy Commissioner, you would be aware that on January 14, the public will finally see this deal that has been kept secret.

My question to you is this: who was accurate? Was it you, the government, that, when you sold the 407, said tolls could increase by only 3 cents a kilometre after 15 years? Or is the 407 corporation telling the truth that tolls may be raised without limit provided certain traffic flows are met?

Hon Brad Clark (Minister of Transportation): First off, I'd like to respond to the member's question from the standpoint of his implication that the government didn't want the contract released. The government has always stated from day one that we would release the contract to the public pending the decision of the Information and Privacy Commissioner. The rules have always been there. The legislation is stated in such a way. The company itself took the position that under the Freedom of Information and Protection of Privacy Act they would apply for a third-party exemption, so the company had concerns about certain things in the contract being released. We said to the Privacy Commissioner, "It's your decision." At no time, honourable member, has this government refused to release that document. We said it was up to Information and Privacy Commissioner.

1440

Mr Phillips: I never even asked that question. You've got the wrong briefing note, for heaven's sake. My question is about ripping off the users of the 407. It's not about the privacy commissioner and whatnot. Let's get with the program here.

I had a phone call today from a very large corporation that tries to use the 407, and when they decided they'd use it they took your advice about the controls. They were paying \$200,000 a year. They scheduled their work so they would be on off-peak hours. In May of last year, 18 months ago, their fee went up to \$250,000. In January of this year, it went to \$300,000, and with the new announcement, it will go to almost \$600,000. It will have almost tripled in the space of 27 months—less than that actually.

My question to you is the same one that I asked just a moment ago when you answered a completely different question. Who was telling the truth? Was it you, when you announced the sale of this and said that tolls could only go up three cents a kilometre, or the 407 corporation, when they said tolls can go up without limits? Who is right in this case, Minister?

Interjection.

Hon Mr Clark: It's nice to see that the member for Vaughan-King-Aurora is actually in the House today.

When the—

The Speaker (Hon Gary Carr): When you get into that, you just end up getting yelled at. I encourage the member not to refer to that. They'll refer to the people who aren't—

Interjections.

The Speaker: Order.

Hon Mr Clark: When the honourable member asks a number of questions within a question, I do the best to answer. According to the toll threshold formula, the ETR cannot increase peak rates over 1.5% for 2000 and 2% for each 2001 and 2002, excluding inflation. It's as clear as that.

ASSISTANCE TO FARMERS

Mr Bert Johnson (Perth-Middlesex): My question is for the Minister of Agriculture, Food and Rural Affairs. Over the last couple of weeks I've heard Liberal members across the floor criticize you and our government for the perceived lack of action we've taken on the made-in-Ontario safety net program. Minister, could you please set the record straight? What has actually taken place with this very important program? Constituents in my riding are well aware of the program, and they would like to hear the details of what our government is doing to help them in the long term. I ask you, Minister, to stand in your place and clear up the foggy minds from across the floor.

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): When I was at the Ontario Federation of Agriculture annual convention last week, I announced the support that I had from our government—my caucus and cabinet members—on the made-in-Ontario strategy that had resulted from the input I had from all the commodity groups. I had received their support to move forward into negotiations with the federal government, and as part of those negotiations, I was asked to highlight five key elements: crop insurance is available in 53 commodities; income support program for producers of grain and oil seeds; self-directed risk management which is offered to fruit, vegetable and maple syrup producers; both governments work toward enhancing the net income stabilization program; a disaster assistance program to be used as required when faced with circumstances well beyond our control.

These five elements are part of the negotiations, and we're waiting on the federal government to respond to our request.

Mr Johnson: Minister, thank you for that response. I appreciate your informing this House and my constituents that our government has worked hard in helping farmers across the province.

There is still one thing I don't understand. If we've already developed a package that all commodity groups can work with, what is the holdup in implementing it?

Hon Mr Coburn: As you know, to make this agreement work you need agreement from the three parties: certainly the producers, our government and the federal government. Right now, our proposed safety net program

is with the federal government, and we're waiting on their response. Hopefully today Finance Minister Martin will make reference to the needs that we have in the agricultural community here in Ontario.

When we announced the \$90-million one-time payment, we went \$20 million beyond what we needed to do in order to meet the federal-provincial agreement. Our commitment is very much in favour of the needs of the agricultural community, and I hope, after the budget speech in Ottawa today, that they will be as well.

MFP FINANCIAL SERVICES

Mr Bruce Crozier (Essex): My question is to the Chair of Management Board. Minister, MFP Financial Services Ltd and MFP Technologies Ltd have extensive contracts for financing equipment and for providing services with your government. In fact, you paid approximately \$88 million to them in this past fiscal year.

I first raised this issue with you in a letter on September 4. Further, in reply to my question on October 3, you said, "certainly all the contracts we have are on contract and certainly appear to be aboveboard." Now the city of Toronto is the latest municipality to line up and sue MFP.

Can you assure this Legislature and, more importantly, can you assure the taxpayers of Ontario, that all of your contracts with MFP Financial Services Ltd and MFP Technologies Ltd are above reproach?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): I do reference the response back on October 3 as well, at which time the member asked me this particular question. At that time, I said, "As a result of seeing your letter, I've asked our ministry, Management Board, to investigate all the contracts dealing with this particular company. They have advised me already that in fact we have no legal disputes between them and any of our government ministries at this point in time." Also, they have assured me there is compliance with their contractual liabilities, their obligations with the government of Ontario.

I believe that the civil servants at Management Board, who act basically as auditors for this government internally, are doing a good job. They have investigated this, as I have asked them to do, and they're satisfied at this point in time that there is contractual compliance with this particular company.

Mr Crozier: Minister, considering that Brock University had its contracts with MFP revised, and considering that the region of Waterloo is suing MFP over contract discrepancies, and considering that the city of Windsor yanked a \$2-million leasing agreement from MFP and is conducting a forensic audit of all its contracts, and considering that the Essex-Windsor Solid Waste Authority is conducting a forensic audit of its contracts, and considering that the Union Water System is conducting a forensic audit of its contract with MFP, I would suggest to you, as I did in September and again in October, that you call for the Provincial Auditor to conduct a special forensic audit

on all past and present contracts with MFP Financial Ltd and MFP Technologies. Would you agree?

Hon Mr Tsubouchi: The member has absolutely no information whatsoever to ask for this type of an action. When this was brought up to me through the letter from the particular member, and also in the House again, I asked the civil service, the Management Board—by the way, I don't understand why you haven't got confidence in the employees who work for the Management Board of this government.

Interjections.

Hon Mr Tsubouchi: I hear some chirping back there. I have indicated in the past that we have good civil servants who work for us in this government, certainly in Management Board of Cabinet. I have all the confidence in them and their abilities when we've asked them to review the contracts. When they say back to us that they find compliance with those contracts, I have to believe them. I believe and have confidence in them.

This member has absolutely no information on which to say that this government does not have total compliance with our contracts.

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NORTHERN COMMUNITIES CAPITAL ASSISTANCE PROGRAM

Mr Norm Miller (Parry Sound-Muskoka): My question is for the Minister of Northern Development and Mines. The new capital assistance program that you unveiled last week in the Legislature in response to consultations with northerners means that constituents from Parry Sound-Muskoka and right across the north will benefit from investments in priority projects in the region.

Minister, could you clarify for all members of this House what the rationale and restrictions are on this new program?

Hon Dan Newman (Minister of Northern Development and Mines): The northern communities capital assistance program provides funding for the construction, acquisition or renovation of facilities and essential services that create, renew or enhance the infrastructure of northern communities. Northern Ontario lower-tier municipalities, First Nations, local services boards, and not-for-profit corporations providing community services in areas without municipal structure are eligible to apply.

The northern communities capital assistance program application form is available on the northern Ontario heritage fund Web site or may be obtained from government information centres. Applications must be received by the heritage fund by December 31, 2002. I would encourage northerners to work with the Mike Harris government by submitting their proposals to the heritage fund so that together we can continue to build strong northern communities.

Mr Miller: Thank you very much, Minister. You're certainly doing a great job representing the constituents of the north.

This new capital assistance program sounds great. I know my constituents and northerners will be preparing their proposals for review. In fact, I just got a letter from the reeve of South River looking for funding and wondering if there's any funding for an underground water distribution system for the village of South River. Perhaps he'll be able to participate in this program and get that new water distribution system.

Eighty-two million dollars is indeed a significant amount, and the north is very happy about it. What does the announcement actually mean for the individual communities? For the benefit of all members of this House, can you translate that into some real dollars for the individual communities of the north?

Hon Mr Newman: In communities like Magnetawan, with a population of 184, and south Algonquin, with a population of 1,237, they would each be eligible for funding of up to \$200,000. For communities like Hilton Beach, with a population of 196, and Gogama, with a population of 625, they each would be eligible for up to \$100,000 in funding.

Some other examples of funding levels for various communities across the north would include Dryden, which has a population of 7,587 people. Dryden is eligible for up to \$1.13 million. Neebing, with a population of 2,044, would be eligible for up to \$300,000 in funding. I would encourage communities across the north to bring forward their applications to the heritage fund so that together we can build even stronger northern communities.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. The wheels keep falling off your dirty deal to privatize and deregulate Ontario's electricity. Today it's John Mayberry, president of Dofasco, employer of over 7,000 people, who says very clearly that because of what you're doing, privatization and deregulation—electricity prices will increase by between 20% and 40%—there will be more risk and more unpredictability and volatility. Then he says it will cost jobs in Ontario.

Are you listening to the John Mayberrys? If you are, it seems to me you either have to guarantee Dofasco and the other companies that rates are not going to go up or you have to cancel your stupid idea of privatizing and deregulating Ontario's electricity system. Which is it?

Hon Jim Wilson (Minister of Energy, Science and Technology): I just remind the honourable member that the only two countries in the industrialized world that haven't undertaken to introduce competition in the electricity sector are Canada and France. I guess there's a lot of stupidity in the world.

The honourable member will know that we cannot continue, as Mr Mayberry suggests in his op-ed piece in the *Globe and Mail*, to have average consumers subsidize the large companies in this province. Some companies in this province receive a portion of their electricity that is

below cost. It contributed to the debt over the years. We are opening up a competitive market. Those companies will buy electricity on the competitive market, but to ensure that we transition these companies in a sensible way, the honourable member will know we've already filed a regulation for a four-year transition for companies that need help in adjusting to the competitive market.

Mr Hampton: This is a friend of your government. This is Dofasco, a company that contributes thousands of dollars to the Conservative Party every year. This is what Mr Mayberry says: "Dofasco has gone to all potential suppliers for electricity pricing and crunched the real numbers. Our data show prices will go up and consumers will have little ability to protect themselves." Whether they're big companies or little companies, what he points out, over and over again, is that your strategy to privatize electricity will simply mean that those who buy up Ontario Power Generation will want to sell their power in the United States, where they can get double the price. He, at Dofasco, now recognizes that.

Why are you so intent on killing more jobs, doing more damage to Ontario's economy, when it's already very fragile? Why won't you listen to one of your friends who's simply saying, "This is a bad idea. You don't have it right. Don't do it."

Hon Mr Wilson: The Minister of Economic Development and Trade and I met with Mr Mayberry last Wednesday. He made the same points as he did in the *Globe* article, but he also makes one point in the *Globe* article where he is in error. He says that competition will be bad for the average household. The average household is today subsidizing large companies in this province. That was the policy of the two parties across the way. We are transitioning those companies over four years. Over four years Mrs Jones will continue to subsidize those companies, as I will on my monthly bill. I'm willing to do that over four years until there is some competition so they can buy at competitive market prices. Nobody else in the province is getting that deal.

SCHOOL CLOSURES

Mr Gerard Kennedy (Parkdale-High Park): My question is for the Minister of Education. Right now there are school boards around the province talking to parents, to local schools, about school closings that you want to arrange. You're trying to close Epsom school in Durham region. You're trying to close St Bernadette school in Toronto, and St Veronica. You're also trying to close schools in Hamilton and Windsor—St Bernard's in Hamilton. Minister, all around the province, it's your school closing policy forcing boards into conflict with parents and so on. You've been closing schools at triple the rate of other governments.

We've learned that in Durham region you've given them an extension. You said that their forced policy to close schools will get special treatment. It doesn't have to report until the middle of February. It'll still be eligible for next year. Minister, I have a question for you: with

your incredibly senseless school closing policy, will you at least give all the other boards in Ontario the same privilege you gave your home board?

Hon Janet Ecker (Minister of Education, Government House Leader): The honourable member doesn't know what he's talking about. First of all, the responsibility for deciding school allocation is as it always has been. I understand the honourable member keeps not understanding this, obviously deliberately. The allocation decisions are part of what a school board and school board trustees are responsible for. That is always the way it has been.

Secondly, the policy is also very clear that school boards must consult with the community. I have yet to see a school board allocation proposal that has not benefited from consultation with the community. Many times the school board might well adjust it, but at the end of the day, it is up to the school boards to decide how best to allocate their resources. That policy has been very clear. There has been no change.

1500

Mr Kennedy: The chair of the Durham board and Ismail Patel, the planner there, tell us they've got an exemption to that, that they don't have a December 30 deadline, they've got a different deadline. They know where to go when they want something changed to do with a school closing. They come to you, because it's your provincial school closing policy, and they're going to close Epsom school in your riding because they have to build new schools someplace else. It's senseless. It's closing schools in St Catharines, in Windsor, in Essex county; it's closing them in Toronto and Ottawa. Minister, what those people want to know is, do they at least get fair treatment from you? Will you extend the deadline for every other school board, the way you did it for your home board in Durham?

Hon Mrs Ecker: The allegations of the honourable member I find quite offensive. No board in this province is getting special treatment. Every board in this province frequently sits down and works out with the ministry flexibility arrangements on a whole range of rules. We've done it for the Toronto school board—obviously the honourable member didn't think that was special treatment—and we've done it for other school boards on a whole range of things, because at the end of the day we continue to work with school boards to make sure they are making the best decisions on behalf of their students and their parents.

PATHS TO EQUAL OPPORTUNITY WEB SITE

Mr Ernie Hardeman (Oxford): My question is to the Minister for Citizenship. This year has been a truly significant one for persons with disabilities in this province, culminating with the tabling on November 5 of the Ontarians with Disabilities Act, Bill 125. This bill, which builds on the nearly \$6 billion spent annually by this government on programs and services to assist people

with disabilities, was subject to public hearings that took place across the province, ending last Friday.

Last week, this government also unveiled Paths to Equal Opportunity, a new Web site designed to help business and service providers make their buildings, products and services accessible to customers and employees with disabilities. I am sure persons with disabilities in my riding and those throughout the province will be able to take advantage of this innovative Web site. Could you provide us with more details on what this site provides?

Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): First of all, I'd like to state that employers across Ontario are learning that persons with disabilities are a very valuable source of new employment in our province, and as such, they're also learning that these people have incredibly good records for loyalty and ability in the services they perform for their employer. The Paths to Equal Opportunity Web site is a practical information tool for those employers and the disabilities community on how to remove barriers and to open doors for employment for persons with disabilities. This is a unique Web site in Canada, given that it has special features that change the font size and the colour formatting for persons with visual impairments and has keyboard shortcuts for persons who can't manipulate a mouse. It's the most technically advanced Web site of its kind in all of Canada.

Its call letters are www.equalopportunity.on.ca, and I encourage all employers in Ontario to look into this innovative site.

Mr Hardeman: Bill Wilkerson, co-founder and CEO of the Global Business and Economic Roundtable on Addiction and Mental Health and the author of *The Business Case for Accessibility*, is a passionate supporter of the argument that persons with disabilities represent a huge business and economic opportunity for Ontario and Canada. Mr Wilkerson, I understand, was with you when the Web site was launched at the fully accessible Granite Brewery restaurant in Toronto, where he spoke of the economic opportunities that will open up when business removes barriers for customers and employees with disabilities.

Minister, will you tell us more about the advantages to be gained by opening doors for customers in the business sector and by the employers creating job opportunities that nurture the skills of persons with disabilities?

Hon Mr Jackson: This government has made a significant commitment in its funding programs with respect to enabling change, which involves opening opportunities on a wide range of opportunities, whether it's volunteerism or access to employment. We're very pleased that this Paths to Equal Opportunity Web site demonstrates about 17 examples of specific businesses like Loblaw's, Laidlaw Transport, Coca-Cola, the Granite Brewery and others that have done innovative ways in which they've worked with the disabilities community to modify their workplace—the guidelines that employers have been looking for as to how they can improve access.

The Greater Toronto Hotel Association, in partnership with our ministry on a \$63,000 enabling-change program, developed one of Canada's leading programs to train the hospitality industry in the city of Toronto. I'm pleased to report the successes that we're enjoying in this city. The Marriott Hotel, for example, has TTY machines available to their guests; visual fire alarms are available for the deaf; the modified—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. New question.

COMMUNAL WATER TREATMENT SYSTEMS

Mr Michael A. Brown (Algoma-Manitoulin): I have a question for the Minister of Northern Development and Mines. I want to bring to your attention and the attention of all members the plight of many of my constituents connected to private communal water systems. These residents are facing an impossible situation. Their water systems clearly do not meet provincial standards. The cost of testing the water has also already placed a huge financial burden on the owner and/or residents. These systems need significant capital outlays to ensure safe, clean drinking water.

In Algoma-Manitoulin, there are hundreds of people in this situation. For example, the Peace Tree subdivision in Heyden will be in need of significant capital improvements to meet the standards.

Minister, what steps have you taken to provide the necessary assistance to ensure that the residents relying on communal private water systems will have safe, clean drinking water?

Hon Dan Newman (Minister of Northern Development and Mines): That question is best answered by the Minister of the Environment. Chris?

Interjection: The acting minister.

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): Thanks to my colleague the Minister of Northern Development for referring this question to me.

I think I understand the question. You're concerned about some of the communal water systems in northern Ontario that have to come into compliance with the new Ministry of the Environment regulation on small waterworks, and they are having a hard time figuring out how they are going to be able to afford to bring that up to the new standard.

It's something the Minister of the Environment has been working on, consulting with small communities. It's something that our caucus is very concerned about, and I'm sure all members in the House are concerned that small systems should be safe. We should make sure that they are funded to be safe. It's getting those two things to work together, to make sure it's practical, because you don't want to be paying too much money when it could be cheaper to drill a well, yet we have these systems in place and we want to make sure they are brought up to the right standard.

Mr Brown: Minister, the subdivision I cited was in an unorganized township, so there is no municipal government to deal with this.

I want to bring to your attention also that the OSTAR program is to fund one third of the capital funding of municipal water systems. One third is not enough to make it work. I recently was at the opening of one water system that was just opened in the township of Sable-Spanish Rivers, and they tell me that they received 90% provincial support to open that water system. How in the world do you believe that the town of Bruce Mines, for example, which has been sentenced to 18 months of boiling water already and has no way of funding a new communal water treatment plant—how do you expect that on one third funding they can possibly provide water for the residents of Bruce Mines in the near future?

Hon Mr Hodgson: This isn't a new problem. This has been a problem we have faced in small communities for a long time.

The northern heritage fund has a category, if the member wants to hear this, where the governments, under the Canada-Ontario infrastructure, fund one third, one third and one third. That was asked for, and it's something that's easily understood. The municipalities know how to deal with that.

Unorganized areas would fit into the same criteria, except that their one third is very difficult to raise on the users of the system, so we have a category where in emergency situations, when it goes above the one third ratio, the northern Ontario heritage fund kicks in, like it has for a long time in the past, and we will take a look at that.

Those are some of the considerations that the Minister of the Environment and this government are seized with right now. We've been consulting with people across Ontario. The minister has held 28 consultation sessions. Almost 1,000 people have attended. I think the public want to make sure that the systems are safe, but they also want to make sure that we're practical and that these solutions are affordable. If there is extra assistance needed in some of the small communities in rural and northern Ontario, we will be looking at that as well, and how we address that.

1510

NUMBER PLATES FOR HISTORIC VEHICLES

Mr John O'Toole (Durham): My question is for the Minister of Transportation. Although he's sitting right in front of me, I prefer to put it on the record here.

The minister will no doubt recall that my private member's Bill 99 was passed in the House last year, and I thank you for that. This legislation allows owners of antique vehicles to display the year-of-manufacture licence plate.

This summer the ministry introduced the regulations that allow owners of these vehicles to apply for approval to use year-of-manufacture plates. Ontario has a very

large community of men and women who restore and maintain classic and antique vehicles. The option of displaying year-of-manufacture plates is appreciated because it ensures that the vehicle is restored in absolutely every detail, from bumper to bumper.

I understand, however that there a few finer points in the legislative process that may want your follow-up. For example, I understand that some historic licence plates have the same number as trailers or snowmobile plates, and since these plates match those of licence plates already in the system, they may not be registered for use on historic vehicles.

Minister, I'm asking you to review this situation in order to fine-tune it to accommodate the many historic vehicles in Ontario.

Hon Brad Clark (Minister of Transportation): Perhaps I should just look backwards here. My colleague is correct; some year-of-manufacture licence plates have been assigned to other vehicles or trailers. This is because prior to 1971, every car in Ontario got a new plate every year. Since then, Ontario has moved to a system whereby there's a plate with a sticker attached to it, so as a result there are some expired plate numbers before 1971 that would have been issued to other vehicles. The vehicle registration system is designed to never have duplicate numbers so that plates could not be issued to two separate vehicles. Licence plates assist enforcement officers in determining both the proper vehicle class and verification of registered ownership. Both my ministry and the law enforcement authorities have expressed reservations about altering registration data that potentially could duplicate plate numbers. So at the present time, we are looking at the system to see how we can help those with the year-of-manufacture plates.

Mr O'Toole: Thank you, Minister. It's clear that you're the person to clear this up.

My supplementary question revolves around fees for the year-of-manufacture plates. My understanding is that donors of historic vehicles can pay, as they have always, \$18 for a generic historic vehicle plate. However, if you want to register your year-of-manufacture plate, the cost of processing the registration is \$74, the same as a regular plate. Could you please explain why the fee is set at \$74 a year? Is it because there is added cost? Minister, what's the excuse for the \$74 instead of \$36?

Hon Mr Clark: Vehicle owners will continue to have the option of registering their historic vehicles using the existing historic vehicle plate provided by the ministry or with a year-of-manufacture plate. If the owner chooses to use a historical plate on the vehicle, there are some restrictions. Vehicles with these plates can only be used for parades, exhibitions, demonstrations, for sale and for travelling to repair depots.

However, during the preparation of the legislation, we heard from historic vehicle owners who wanted to drive their vehicles with year-of-manufacture plates without these restrictions. This was agreed to by the ministry and included in the legislation. Therefore, vehicles with year-of-manufacture plates are allowed to operate on the

highways without restriction, the same as other vehicles. If they choose to do that, the annual validation fee is \$74, the same as for other vehicles.

HÔPITAL MONTFORT MONTFORT HOSPITAL

M. Gilles Bisson (Timmins-Baie James) : Ma question s'adresse au procureur général. Monsieur, comme vous le savez, la Cour d'appel de l'Ontario vient juste vendredi de renforcer encore, sur la bataille de Montfort, la question, est-ce que votre gouvernement a l'autorité de fermer cette institution ?

La cour a été claire. La Cour d'appel de l'Ontario a dit carrément que vous n'avez pas le droit. Nous voulons vous poser une question qui est très simple : est-ce que vous êtes préparé à ce point-ci aujourd'hui de dire que vous n'allez pas à la Cour suprême avec un appel pour essayer de renverser cette décision ?

Hon David Young (Attorney General, minister responsible for native affairs): It is true that we did seek some further direction from the court of appeal and we received that direction Friday morning. We are in the process of reviewing the decision and the reasons provided by the court of appeal, as I am sure the member opposite would have expected us to do out of respect for the court and out of respect for the issue. Indeed, it is a very important issue. In due course, we will be announcing our decision as to what further steps, if any, are to be taken.

M. Bisson : Très carrément au procureur général, la décision est de 60 pages. Il n'est pas très compliqué de vous figurer ce que vous allez avoir. Ce que nous demandons, c'est que vous respectiez la population franco-ontarienne et que vous fassiez ce que vous êtes supposé de faire : supporter et promouvoir les services en français pour la population franco-ontarienne. Il est très clair que vous avez perdu à deux reprises devant les cours l'habileté de votre gouvernement de fermer cette institution, l'hôpital Montfort.

On vous demande une autre fois : dites aujourd'hui que vous n'allez pas aller à la Cour suprême du Canada pour être capable d'aller en appel de cette décision. Allez-vous carrément vous mettre avec la communauté francophone, ou allez-vous retourner encore une fois pour essayer de nous taper sur la tête à la Cour suprême elle-même ?

Hon Mr Young: As the member is aware, the decision is a complex one, dealing with a very important matter. I know that he feels comfortable summarizing it in a few words or less and then trying to score some political points in the process. I, for one, think that a 60-page decision is worthy of more than an hour or two or a day or two of consideration. We are in the process of reviewing it. We are respectful of the importance of the issue, we are respectful of the court from which this decision emanates, and in due course we will have more to say about this very important issue.

PETITIONS

PROFESSIONAL LEARNING

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario. It says:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best-practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned—" from St Charles College, St Benedict Catholic Secondary school, Marymount academy, St Theresa's school, St Albert learning centre and St Mark school—"respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

I affix my signature and give it to Andrew to bring to the table.

OPTOMETRISTS

Mr Peter Kormos (Niagara Centre): I have a petition addressed to the Ontario Legislature.

"Whereas the Legislative Assembly of the province of Ontario will be considering a private member's bill that aims to amend the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases; and

"Whereas optometrists are highly trained and equipped with the knowledge and specialized instrumentation needed to effectively diagnose and treat certain eye problems; and

"Whereas extending the authority to prescribe TPAs to optometrists will help relieve the demands on ophthalmologists and physicians who currently have the exclusive domain for prescribing TPAs to optometry patients; and

"Whereas the bill introduced by New Democrat Peter Kormos (MPP—Niagara Centre) will ensure that patients receive prompt, timely, one-stop care where appropriate;

"Therefore I do support the bill proposing an amendment to the Optometry Act to give optometrists the authority to prescribe therapeutic pharmaceutical agents for the treatment of certain eye diseases and I urge the government of Ontario to ensure speedy passage of the bill."

I have signed that as well.

CRUELTY TO ANIMALS

Mr John O'Toole (Durham): It's my pleasure to introduce a petition here on behalf of the member from Scarborough Southwest who, as you would know as members of the crown, is the Minister of Northern Development and Mines. It's my pleasure to read the petition on behalf of the minister and on behalf of his constituents of Scarborough Southwest.

To the Legislative Assembly of Ontario:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario provincial government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I know the minister would sign this. I'm going to sign this on behalf of my constituents in Durham.

1520

EDUCATION FUNDING

Mr James J. Bradley (St Catharines): This is to the Legislative Assembly of Ontario.

"Whereas the Harris government's rigid education funding formula is forcing neighbourhood school closures and has centralized control for education spending and decision-making at Queen's Park, and will not allow communities the flexibility to respond to local needs;

"Whereas chronic underfunding and an inflexible funding formula are strangling the system and students are suffering the consequences;

"Whereas there is evidence that large schools do not automatically translate into cost-effectiveness;

"Whereas smaller, neighbourhood schools have lower incidences of negative social behaviour, much greater and more varied student participation in extracurricular activities, higher attendance rates and lower dropout rates, and foster strong interpersonal relationships; and

"Whereas small neighbourhood schools in local communities, both rural and urban, serve as important meeting areas for neighbourhood organizations which help bring individuals together and strengthen neighbourhood ties and the current funding formula does not recognize community use of these schools,

"Be it resolved that the Harris government immediately reconfigure their unyielding funding formula to restore flexibility to local school boards and their communities which will allow neighbourhood schools in our province to remain open."

I affix my signature as I am in complete agreement.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have petitions that have been signed and sent to me by E. Rosewell of Caledonia, the Ryerson School of Early Childhood Education, the Church of St Thomas, and the children's daycare centre in St Catharines. These petitions read as follows:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"Whereas the Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program;

"Whereas the need for affordable, accessible, regulated child care and family resources continues to grow;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs."

I agree with the petitioners, and I have signed my name to this petition.

PARKING FEE REGULATION

Mr Carl DeFaria (Mississauga East): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas many senior citizens are living on fixed incomes and being forced to pay an additional \$400 per annum for parking alone; and

"Whereas many senior citizens will be forced to sell their vehicles as a direct result of high parking fees, thereby affecting their standard of living; and

"Whereas most of the parking spots are located outside and unprotected from inclement weather and vandalism; and

"Whereas in a subsidized building, tenants are forced to pay the market rate for parking;

"We, the undersigned, hereby respectfully petition the Legislature of Ontario as follows:

"That the government of Ontario regulate the cost of parking, ensuring that subsidized buildings maintain affordable fees."

This petition is signed by over 550 people in my riding, and I am pleased to affix my signature to it.

LONDON HEALTH SCIENCES CENTRE

Mr Steve Peters (Elgin-Middlesex-London): A petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy directions from the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly the children of southwestern Ontario, at risk; and

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortages in the region;

"Therefore, be it resolved that we, the undersigned"—the citizens of such places as Kippen, Clinton, Grand Bend, Exeter, Bayfield, Goderich—"petition the Ontario Legislature to demand the Mike Harris government take immediate action to ensure these important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

We, the undersigned 1,900 individuals, ask the government to put this decision on hold.

I'm in full agreement and have affixed my signature.

OHIP SERVICES

Mr Tony Martin (Sault Ste Marie): "Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magneto-

therapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"We, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

I add my name to these as well.

LORD'S PRAYER

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century;

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and tradition that continues to play a significant role in contemporary Ontario life;

"Whereas the Lord's Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Legislature of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I affix my signature.

ADJOURNMENT MOTION

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I move adjournment of the House.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 1528 to 1602.

The Speaker: All those in favour of the motion will please rise and remain standing until they've been counted by the Clerk. You may take your seats.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 41; the nays are 45.

The Speaker: I declare the motion lost.

Pursuant to standing order 30(b), I am now required to call orders of the day.

ORDERS OF THE DAY

TIME ALLOCATION

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 130, An Act respecting community care access corporations, when Bill 130 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time, the bill shall be ordered referred for third reading; and

That, notwithstanding standing order 28(h), no deferral of the second reading vote shall be permitted; and

That the order for third reading may be called on the same day.

That, when the order for third reading is called, 60 minutes shall be allotted to the third reading stage of the bill, to be divided equally among all recognized parties, and at the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That, notwithstanding standing order 28(h), no deferral of the third reading vote shall be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Speaker (Hon Gary Carr): Mrs Johns has moved government notice of motion 109.

Mr Tony Martin (Sault Ste Marie): On a point of order, Mr Speaker: I seek unanimous consent to allow the standing committee on finance and economic affairs to sit tomorrow from 9 am to 12 pm and from 4 pm, and that the committee be authorized to sit beyond the hour of adjournment to debate and vote upon all clauses and all amendments to Bill 125, the Ontarians with Disabilities Act.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Johns: It's my pleasure today to speak to Bill 130, the bill respecting community care access centres in the province of Ontario. As everyone will recognize, the government, through consultation with many people on the outside, is moving to change the governance of CCACs within this bill and bring accountability to community care access centres.

The third thing we're doing, which is important, is we are legislating that we have a community advisory

council which will bring together the community care access centre, the hospital and long-term-care facilities. Each of those organizations will be there to ensure that when a person comes through the system, there is an ability to make sure they get the care they need and, in one way or another, get the services they need.

Before I go any further, I should say I'm sharing my time with Mr Klees and Mr Wettlaufer; I wanted to just say that.

Also, it's very important, as you would know, that the government moved to create community care access centres in 1997. At that time, we put forward proposals to ensure that we provided strong services to the community. Since that time, there have been a number of concerns raised by the public within each of the areas and we have done a number of reports and looked at different community care access centres. We had a global report done by PricewaterhouseCoopers. We also had an operational review done of the Hamilton Community Care Access Centre, for which the Speaker is one of the members.

At that time, we recognized there was work that needed to be done on community care access centres so that we could continue to provide strong services within the community. We found a number of things. We found, although the services within the community care access centre and in the community were strong and had grown at a very fast rate, that there needed to be changes to be able to meet the ever-changing needs.

The community sector in the health care budget has grown at the fastest rate of any sector in health care over the last five years. We have quoted in the House for the last number of weeks that, on average, the budgets in community care access centres have grown by 72%. For maybe a layperson watching the TV today, it's hard to recognize how much money that really is, but let me say that in 1995 the budget in community care access centres was about \$600 million. Now, in 2001, the budget in community care access centres is some \$1.2 billion, so it has grown substantially. Some community care access centres are growing faster than others as a result of changing demographics and those kinds of things, but on average it is 72% across the province.

We need to make sure that community services stay in the community. We have taken an active role in looking at community care access centres over the last six to eight months by doing the two reports. Putting a government appointee into Hamilton was to try to ascertain how we might best ensure the community services stay sustainable within our health care network. From that standpoint, that's what we're doing today.

In the bill we have moved toward ensuring that we change the governance. We want to ensure that community care access centres across the province will be providing many of the same services in one area as in other areas. We also want to ensure that we do proper training across the whole province so that the boards understand the role of people on the board, but more importantly, that they understand how the request for proposals sys-

tem that was implemented some four years ago by this government works.

If this legislation is passed, we are going to ensure that the CEOs are appointed by the board. What we're doing there is trying to ensure that there is consistency across the province. We are trying to ensure that we have the qualifications that make all the boards strong and sustainable in the future. We're also trying to ensure that we do the proper training and that we're able to do the training that will allow these CEOs to ensure that they can provide the services. We're working toward that.

Also in the bill we talk about the community advisory council. We're trying to ensure that all the health providers work together. We need to have health providers working together so that when someone comes out of the hospital, they get the services they need in the community. When they get the services in the community and they feel they need to go to a long-term-care facility, they are able to do that.

One of the things I've heard recently is that this government's goal is to try to push people into long-term-care facilities. Although this government has made a substantial investment in long-term-care facilities, that is not the goal. The goal is to ensure that people get the right services at the time that they need them. For example, I have aging parents, as many know, who watch this program on a daily basis. In that particular case, when they need small-community services, they should get those in the community. When at some time one of them is alone and isn't getting an interaction with the community, I may well say to them that they should look at a long-term-care facility so that they can have an interaction with other people, they don't have to drive to places, and they can get the proper health care they need.

So there's a continuum. There's a place for every aspect of health care in the health care system. Our goal with this legislation is to ensure that we have sustainable hospitals, we have sustainable community services, we have sustainable long-term-care facilities and we have supports in the community that can be sustainable too.

1610

There's been a lot of talk over the last while about why the need for this legislation. We needed to do those changes, but there are many other changes that the Ministry of Health and Long-Term Care and myself will be working on over the next few months.

We're going to ensure that we have strong case managers who are evaluating patients and making sure they get the services they need.

We have a number of community care access centres in the province right now which have a very strong case management tool which should be used in all community care access centres, so we're going to implement that before the new year comes around for community care access centres. We're looking to ensure that we have the right numbers of people in the community care access centre and that they are providing services to the people of the community.

So we're working on those things. We're also working on education and training programs, which of course I didn't need to put in the legislation. So from that perspective, we have a plan to make sure that community care access centres are stronger in our communities when we're finished.

I've also heard some comment that the boards will no longer have community representatives on them. Let me say that that is just fundamentally not true. It's my intention to take a number of people from the community who are involved in many different aspects of the community so that we have the best boards we can have in the province. In fact, it's my intention in a number of areas to reappoint boards that are already in existence because of the wonderful job they're doing in providing services to the community.

Mr Speaker, there have been a few concerns raised by different organizations over the period of time, and as you would be cognizant, we wanted to go to committee to be able to make a few amendments, but that didn't prove possible with negotiations in the last week. So from that perspective, I have done a fair amount of work to ensure that we can deal with the concerns that people have raised.

The first concern we heard was that Bill 130 doesn't tie in to the freedom-of-information and privacy concerns. I want to say quite clearly that that is not the case today. There are no services provided under Bill 130, this act. The services that a community care access centre would provide are all outlined in the Long-Term Care Act of 1994. The Long-Term Care Act of 1994 provides for the collection, but only in certain limited cases, of people's information. It is bound by the Freedom of Information and Protection of Privacy Act, which allows the minister to collect personal information only in specific circumstances, and they are all reflected in the Long-Term Care Act. So we know that we are covered with respect to that. If I could have got to committee, I certainly would have put an amendment in to ensure that people knew that was the case. I have had quite a bit of discussion with lawyers across the government, and I have been guaranteed that that is the case. I have written to the Ontario Association of Community Care Access Centres and let them know.

The second issue was that Bill 130 does not ensure access centres will be able to conduct their day-to-day business during the transition period. The transition period is the time from when the bill is approved by this House—if it is approved by this House—and it receives royal assent until such time as we get the boards and the CEOs set up within the organizations.

Let me tell you that if this bill passes, I will be moving very quickly to try and move forward to address this issue. I want to ensure that we get these boards up and running as quickly as we can after the legislation is passed. Obviously, this only relates to the issues in Bill 130. The question is clearly addressed in section 4 of Bill 130. It states that the corporation continues and there is no interruption in the functioning of the corporation's

affairs during the transition. This obviously includes service providers' contracts. If an agency needs to enter into a service provider contract because the old one has expired, they are able to do that to carry on day-to-day business. We also will be able to put some policy out to ensure that they can enter into small-dollar contracts for that time frame, so that the normal day-to-day business of the community care access centre does not stop. It's our goal to ensure that people continue to be served with high-quality care during this period.

The third issue was that Bill 130 has no liability clause to protect board members and employees of the statutory corporation. This is simply untrue. Concerns about good faith protection can, and will, be addressed through the normal process that CCACs currently employ. These include an indemnity from the corporation, and the purchase of director and officer liability insurance for board members and the executive directors. As an example of how this is done now, I refer you to the public hospitals, of course, because that's how they provide their insurance and freedom from liability.

The fourth issue that was raised is that Bill 130 doesn't make clear the accountability of the executive director to the board. Actually, it does. To quote from the legislation, "The executive director ... is responsible for the management and administration of its" CCAC "affairs, subject to the supervision and direction of its board of directors." To put it another way, the government sets the terms of employment; the board provides direction. The point is that the executive director must be responsive to ministry programs and ministry direction, as well as to board priorities.

The fifth issue we've heard is that Bill 130 lacks clarity as to the status of CCACs as local community operations, as opposed to government agencies. The phrase "local community operations" is usually applied to organizations created locally, and financially supported locally to pursue local objectives. In fact, community care access centres, as I said earlier, were created by the Mike Harris government to implement provincial policies that would support rationalized and enhanced home care for the people in the province of Ontario. That's why we've increased spending in home care by some 72% over the last five years. That's why more than \$1 billion flows every year to community care access centres alone. That's why we're changing the governance of the community care access centres. To put it in another way, CCACs were created by the province, which funds them 100% with provincial taxpayer dollars, to pursue provincial objectives aimed at bringing better home care to Ontarians. Local input comes from the appointments of local people. So we are assuring the people of Ontario that we will be involved with the local boards. We will be getting local input. But we also want to assure the people who are using the services that we have every intention of making sure that services are provided across the province, in their communities.

The last concern we have heard is that the OIC board will no longer have local ties. I think I've addressed this

a couple of times. I am on record as saying that we're going to have local people on the boards. It's my intention, if this bill is passed, to advertise to fill board vacancies that may exist. In fact, the ministry is on record as saying that we want to look at the majority of board members who are around right now and see if we can reappoint them. In addition, the advisory councils will be chaired by the community care access centre board members, and there will be input coming from the whole community when we look at these advisory councils. So I feel comfortable that the community support agencies will have more of a say in how community services are provided. They will work hand in hand with the community care access centres, the hospitals and the long-term-care facilities in the area.

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Because this is legislated, it will no longer be an ad hoc committee that exists in some places. They will now exist in all communities across the province, and they will bring to community services a stronger and a better system of community care in the province.

I have written a letter to the Ontario Association of Community Care Access Centres. I know they will be passing that around to the access centres. But let me say, because I have two colleagues who want to speak here, that it's very important for us to have a sustainable community system. The people of Ontario rely on that system. We have to have every aspect of our communities strong when it comes to health care. Hence the bill is happening today. I believe that in the long run, if and when we get approval of this bill, after we implement the changes that we need, after we work with the communities, that the people of Ontario will be happier with the health services they're receiving in the community.

The Deputy Speaker (Mr David Christopherson): Further debate is in rotation, so the floor will go to the member for Toronto Centre-Rosedale.

Mr George Smitherman (Toronto Centre-Rosedale): I will be sharing my time with the members from St Catharines, Sudbury, Prince Edward-Hastings and Hastings-Frontenac-Lennox and Addington.

In response to that awful speech from the minister opposite, I say but one word: yikes. For anyone who was at home and listening and subjected to that, here, in less than seven minutes, is the straight goods on a bad bill, one more bill from a command-and-control government that seeks to gag the voice of the local communities. This is a shameful attempt by that minister to attempt, in her 20-minute ramble, to create an impression other than what this bill really is.

Let's be clear. The word "respecting" may be in the title of the bill, but respect, as it relates to local communities and as it relates to the patients in this province, ends right there. The meaningful decision-making capacity at the community level in this bill becomes advisory. Advisory—in brackets gagged, choked to death. The local views of local residents in this bill are choked to death. The notion here is that this sort of Tory government, state-sanctioned paternalism means that we draw

back to all of this repository of wisdom in the Ministry of Health.

You know, the Ministry of Health is located in my riding of Toronto Centre-Rosedale, close to the corner of Bay and Wellesley. I'm proud of my riding, but I don't think that government, in a province as large and diverse as ours, is one where all of the wisdom is to be found in the offices of the Ontario government. Yet that's what this bill says: "Mamma knows best." This is the Mamma-knows-best bill. Wisdom is the domain of downtown Toronto. That's what the minister ought to be standing up and saying.

Let's look at this government's record with respect to decisions in our health care system. This minister speaks, but she does not yet understand the extent to which these home care services are crucial in creating a flow in the continuum of care—words that people like to use. The problem they are creating is that people, unable to get the required assistance at home, are forced to look for long-term-care solutions quicker. We went through this awfully painful health care restructuring process that said, "We will not continue to house people in hospitals." So hospitals are forcing people out the door sicker and quicker.

We know that 70%, versus just 30% from a few years ago, of the patients requiring care from our community care access centres are hospital discharges—70% now, only 30% a few years ago.

This minister talks about the growth in CCAC budgets, and she demonstrates, in focusing on that very point, that the silo mentality that has caused so many problems for this government in dealing with our health care system is alive and well and living in the mind of that minister. She assures us that after seven long, painful years with respect to our cherished system of health care in this province—she doesn't get it, and when she doesn't get it, they don't try to fix it. They don't listen to experts. They don't pretend to understand that there is wisdom in communities, that the people of Simcoe county and elsewhere might be able to come up with some suggestions about how to make that work. No, they impose a gag order on the people of the province of Ontario.

What's the price that will be paid? It will be paid in the stripping of further confidence from our already frail medicare system, and that I think is their hidden agenda. That's really what they want. By taking out of context the growth in this budget, by not reflecting on the fact that there are 800,000 more Ontarians than when they came to office, and by discounting the savings that have resulted in hospital budgets, the hospital element of the overall health care budget, they do an extraordinary disservice to their constituents and they put at even further risk the quality of our medical system here in this province.

It seems like it ought to be reasonably simple, and even the minister spoke about this sort of continuum of care. But I beg members who have not yet had those painful and disheartening conversations with people who have been discharged from hospitals requiring a very high threshold of care, who have been out of hospitals

and then back in—I had a meeting today with a woman whose sister was released from hospital, while fighting cancer and with pneumonia, to have care provided by the community care access centre. We know that there has been this extraordinary transfer of treatment dollars to those discharges at the expense of our frail and elderly. What will be the impact on the frail and elderly? The people who are home, some of whom will be elderly, will very clearly, because they are way smarter than this minister and this government, be able to answer this question for themselves. If you're at home and your community care access centre is not able to assist you with keeping your independence, staying at home and going about your life, then the answer is clear: you will seek out a long-term-care option even sooner than you might have otherwise intended.

In a nutshell, that is the effect of this government's bill. Instead of dealing with the problems that are in the system, they seek to impose this made-in-Toronto gag, a gag to the throat of communities across the breadth of this province and to the people who have toiled away and sought to create for their citizens a system that worked for them.

I will be voting with such intensity against this lousy bill, and I urge government members to see the light, listen to their constituents and stay away from the vote.

Mr Frank Klees (Oak Ridges): I am pleased to participate in this debate. I want to first of all again commend my colleague the Honourable Helen Johns for her leadership on this issue, which is so important. Community care access centres have been top of mind certainly in my riding. I know throughout York region and in many areas of the province over the last number of months our health care system has evolved to the point where home care is particularly important in the continuum of care, and when in fact there is a failure in this area of home care, then it has its repercussions throughout the community. So to see the kind of leadership that Minister Johns has taken on this is particularly encouraging to me and it's encouraging to my constituents.

We have had a great deal of discussion in this House about what some of the areas are that need to be addressed to resolve some of the concerns.

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I have repeatedly stated that I believe this is a two-pronged issue. On the one hand, particularly coming from a high-growth area—York region; and there are other regions around the Toronto area—where there is particular pressure as a result of an influx of people and an aging population, there is an issue of, “Do we have enough money in the system to actually deal with that population-growth pressure?”

I'm not one who would say that we should close our eyes to the issue of reviewing the funding formula and ensuring that we do in fact have the resources available to deliver the services. So I will continue to advocate to ensure that the Minister of Health, the associate minister of health, our cabinet and our government look at

whether or not we need to infuse additional resources, additional money into this system.

Having said that, it has also become very clear to me over the last number of months, as I've had input from constituents, caregivers, caseworkers and nurses who are involved in this very important service of delivering home care, that another aspect, the second prong of this problem, is the structure and the governance of the CCACs and precisely getting down to how efficiently we can deliver services.

In previous readings on this bill, I read into the record actual communications from constituents who have pointed to inefficiencies that they pick up, just as a result of being subject to some of the inefficiencies within the system.

I received an e-mail this morning from the CEO of the York region CCAC, who advised me and other colleagues that over the last number of months the waiting list for CCAC service has been eliminated in the York region CCAC, with the exception of speech-language therapy where there is still a 45% waiting list. However, Mr Bill Innes, who wrote that e-mail, went on to say that he is not sure as to why they were able to eliminate that list. There seems to be less demand on the system. He surmises that perhaps one of the reasons is that some of the referral agencies—the hospitals, the long-term-care facilities—are not referring as many cases to the CCAC because they feel from past experience that they're not capable of dealing with the issue, that they're not able to deal with the cases.

I have to say, that was not comforting to me. First of all, if the CCAC is now capable of dealing with these issues and taking on more cases, why would that not have been communicated to the hospitals and the long-term-care facilities, to say, “We're now in a position of being able to take on the cases you have to refer to us”? So I'm concerned about that lack of communication.

I'm also concerned that the reason for the elimination of the waiting list isn't that we simply have said, “We're going to eliminate certain services.” If that's the case, I want to know about that as well. I expect much more detail in terms of what is in fact taking place.

Where I am encouraged is that I believe the bill before us is going to take a very important step, and that is to give the government an opportunity to appoint through order in council the members of the board of directors who ultimately have the responsibility to hold accountable the chief executive officer of the CCAC and the entire organization. This will allow us to ensure that people are sitting around that board who actually have the experience and the ability to deal with what effectively is a multi-million dollar service delivery corporation. With all respect, we want to give credit to the people who have been there to this point, who have had the responsibility, and who have done it on a volunteer basis, I should add. We acknowledge the work they've done and we thank them for it, but in some cases it is time for us to replace some of those board positions with people who have more experience and more expertise in terms of manag-

ing an organization of this size. I believe that in itself will take us a good distance toward dealing with these issues.

Our objective as a government is to ensure that the people who need the service, who deserve the service and who qualify for the service will in fact have it. No one in this province who needs home care should be without it. That's why I take this bill very seriously. That's why I support it: because I believe that, in the final analysis, that objective will be achieved. Some difficult decisions will have to be made over the next number of months and weeks in terms of implementing some of these changes, but I'm convinced that once those decisions are taken, the people in this province will benefit from it.

In closing, because I know my colleague wants to add his comments to this as well, once again I want to say that we're privileged in this province to have a comprehensive home care system. I also believe we have a responsibility to make whatever changes are necessary to make that very good system even better, to make sure that no one falls through the cracks, and to ensure that, on a governance basis, we have the efficiencies and the accountability in place. As I've said before, if in fact we have to shore up the resources that are available, then let's do that as well and make sure that the people who are dependent on us to make those decisions on their behalf are looked after in this province.

Mr James J. Bradley (St Catharines): The speech I just heard reminded me of somebody putting brown sugar on porridge, because indeed what is underneath that brown sugar is an awful lot of rather ill-tasting porridge, which is the responsibility of members of the cabinet. Now I perhaps understand why you would want to depart from that particular group of people, their having made those kinds of decisions.

I want to say to the member and to members of the House what this bill is all about. The government has seen that for home care to be effective, it's going to require a major investment of funds—no question about it. The government was supposed to have saved all this money by closing local hospitals or forcing them to merge or bring about what they called the restructuring of health care services in many areas. But like so many areas, the government simply took that money—some of it, at least—and put it in its pocket to pay for its very expensive tax cuts.

Interjection.

Mr Bradley: As a result, I say to my friend from Kitchener, we see that the community care access centres are in trouble.

The minister would like to say there has not been a cut in the amount of money provided to community care access centres this year. That is not correct when one looks at the fact that last year there was a requirement all over Ontario for an infusion of funding mid-year to make up for the needs of those community care access centres. The government simply went back to the old figure at the beginning of last year. So that represents, in effect, a cut at a time when there is an increased demand for those services.

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I can tell you that I get calls almost daily at my constituency office from people who are perturbed at the cutback in services. These are often frail, elderly people who are reduced to one bath a week or a small service here or there. They often do not even have family within easy driving distance to where they happen to reside. They often come out of hospital much quicker and sicker than they used to because there's a new policy imposed by the Harris government which says we're to get people out of the hospital much more quickly, meaning that when they go back into the community, they require more intensive care than would have been the case in years gone by. It is a fact that now 70% of the people using community care access centres and home care services are hospital discharges. I remember a few years ago, approximately 25% to 30% of these people were hospital discharges, so we're seeing a radical change as you force people to leave earlier.

What is this about? This is about closing off debate at the local level—in other words, forcing people to be compliant with government policy. My office called the Niagara office today and asked for the executive director. Do you know what the answer was? "She no longer works for the community care access centre." That means she was fired out the door by this government. This is a person who was not prepared to be silent about the needs of the patients in the area of Niagara. She was prepared to speak out. What she got for that was her walking papers. You can be sure that the people who replace the people fired out the door, and the present boards, are going to be much more compliant, much more silent. The fact is that we're going to have to rustle up even more Tories, if that's possible, even more Conservatives from the executives in the local areas, to be on the boards, because they are the people who will simply nod and say, "Yes, Minister," like the dog in the back of the car that sits there, that little artificial dog that nods up and down. "Yes, Minister. You're correct, Minister." So we're not going to have the kind of advocacy we will need for local people, and indeed there is that kind of advocacy needed.

I saw a letter to the editor in the St Catharines Standard by Hilda Pelissero, who was talking about the need for health care services in this province. There is a situation in many, many families where people require home care services and they cannot get those home care services, and they're struggling along. The people who have fallen on ill health for no reason that they can be blamed for are now forced to struggle along because this government is more interested in tax cuts than it is in health care.

Of course, today we will hear the weeping and gnashing of teeth of the Minister of Finance. At about 5 o'clock, he will have a press conference and say, "Woe is me. I have to cut all these things because I'm not going to get enough federal money." I looked at the books, and they say the government is going to forgo some \$3.7 billion in revenue from an income tax cut and—

Mr Wayne Wettlaufer (Kitchener Centre): Not this year.

Mr Bradley:—from a \$2.2-billion corporation tax cut—

Mr Wettlaufer: Tell the whole truth.

Mr Bradley:—and from what the member from Kitchener likes most, the new tax credit for people who want to put their kids in private schools.

There's also government advertising. I say to the Solicitor General, who is here today, I open up the newspaper and now they're advertising SuperBuild. They haven't even started to flow the dollars and they're already advertising SuperBuild. So this government's got lots of money for self-serving, self-congratulatory advertising, they've got lots of money for tax cuts, but they don't have money for community care access centres.

They're going to close the mouths, shut off debate, as they do in this House with this motion. They're going to stop any of the criticism at the local level, hoping that they can muzzle the people and that therefore people will not know the problems that are arising in home care. There are many problems; this bill does not address those problems. A forgoing of the tax cuts and the withdrawal of this legislation would go a long way to encouraging the kind of support we need in our communities for community care access centres.

Ms Shelley Martel (Nickel Belt): Well, here we are. Here's the government trying to ram through Bill 130, and we now have before us a draconian time allocation, which none of us should be surprised with because, of course, two of these motions were placed on the order paper last Thursday. Needless to say, we opposed both of those motions because they have nothing to do with getting at the heart of the matter, which is this government's blatant attempt to take over community care access centres because some of them, like my own, Manitoulin-Sudbury CCAC, actually had the guts to come forward in a public way and say that the government's current underfunding of health care was causing serious harm to seniors, to the disabled and to those being discharged from hospital.

The government doesn't like that kind of public criticism, which has gone on by a number of CCACs, including my own, and very many seniors' organizations for the last number of months, so the government is going to do what it wants to do today, and that is to take control of the CCACs, muzzle them, silence them, make sure there's not going to be any more public criticism of this government's underfunding of health care by these organizations.

The minister said in her opening remarks that she might have preferred to bring forward amendments, but that this proved not to be possible through negotiation. I want to comment on that as a first point. You are absolutely right: my House leader told the government House leader last Thursday that we were not going to be party to a sham, a façade, a joke, which was both of the motions with respect to how to complete Bill 130.

The government has called motion number 109 today. This means that at the end of this debate today there will be a vote, and then we will proceed immediately, when it's next called, to third reading. The debate on that will occur for one hour, the time allocated to all three parties. When that's done, then there will be a vote, and that's the beginning and the end of this bill and it will be passed. That is unacceptable to us.

The other government motion, 108, wasn't much better. Under that motion the government was going to have a façade of public hearings this Wednesday morning, three hours in total, for groups that care about home care to try to come and have their say. Then on Thursday morning, from 9:30 to 11, the government was going to move into clause-by-clause. But what's interesting is that under the motion, at 9:30 in the morning, all of the clauses, all of the amendments would be put. So all we were going to do was to vote on the amendments. There wasn't even going to be an opportunity for people to have their say about those amendments.

You know what, Speaker? We weren't going to be party to that process either, because it is undemocratic. It is a clear indication that the only thing this government wants to do is to get this rammed through so they can get control and silence those CCACs, like my own, that actually had the audacity to come forward and tell it like it was for seniors in our community.

It's with some interest that I note the letter from the Ontario Association of Community Care Access Centres, which says, "The very fact that the government has indicated that it is prepared to proceed with the amending process is very encouraging to us. The OACCAC believes that with appropriate amendments, Bill 130 can be workable and better enable us to continue to serve those requiring in-home medical and social services."

I don't know where the association was on the night of Wednesday, November 29, when the minister sat in her place, and in response to the very amendments that had been given to her by the association, said clearly that the government wasn't going to accept any, not a single one. They had representatives sitting in the gallery. I don't know if they didn't hear that that night, or maybe they were hoping she wasn't serious. But they had already indicated very publicly they had no intention of accepting any amendments to this piece of very draconian legislation—none at all. So the association shouldn't be surprised today that the ministry has no intention of going down that road.

Frankly, even if the minister would have accepted the amendments from the association, New Democrats would have opposed this bill because the amendments, frankly, were ineffective. They didn't get at the heart of the problem with this bill, and the heart of the problem is that this government, through legislation, is taking over control of the day-to-day operations of community care access centres. That's what the government is doing.

The amendments from the association didn't deal with that at all. They were completely ineffective, from my point of view. That is also why we told the government

House leader that New Democrats were not going to be party to some kind of meaningless process that may perhaps move some amendments that didn't change the heart of the bill, the guts of the bill, which is this government using its legislative power to take over CCACs to silence them.

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We are not going to be part of that. We are standing for those many seniors' organizations, which I will talk about later in my remarks, which have called on this government to withdraw this bill and have a meaningful consultation about long-term-care reform that includes continuing with local, elected boards of directors and executive directors who are hired by those local boards of directors, where there isn't an attempt by the government to control information that's distributed by the same CCACs. We agree with those organizations of seniors who have called on this government to get rid of this bill, who have said very clearly that it cannot be fixed; it is beyond repair; it is beyond reproach; get rid of it. If you're serious about doing something for home care, then have a meaningful consultation where seniors and their representatives can actually participate in that process. We know that wasn't done with this bill.

The final point I want to make about this motion is that frankly none of them had to come forward. If the government truly wanted to have a discussion with seniors about reform of the long-term-care system, the government could have carried this bill over into the intercession and the government could have had a committee of this Legislature have full, extensive, province-wide hearings on this bill or a new bill with respect to home care. The government could have easily done that because last Wednesday, in this very House, we debated and the government passed a motion which carries all bills—government bills and private members' bills—over into the next session, even if the House prorogues.

So this bill was not going to be lost by the time we finished sitting this week. On the contrary: a number of other bills, at least 23 as of today, are going to carry over. I suspect there will be some hearings on other bills in the session. They're all going to be carried over. If this government had been serious about consulting with the people who are most affected by the work of CCACs—that is, seniors, the disabled and those being discharged from long-term-care facilities—the government would have made the decision that they would carry this bill over and they would have full, extensive public hearings on home care.

The fact that the government chooses to bring in a draconian time allocation motion today which essentially says, "After this debate, we move to third reading for 60 minutes, have a vote and it's all over," reinforces, in my mind and everyone else's who has been watching this, that the government is only interested in ramming this through and getting control over CCACs by the new year so that they don't have to hear any more public criticism from these organizations about this government's current underfunding of home care.

The fact of the matter is that this bill does nothing, absolutely nothing, to enhance home care in the province of Ontario. The bill is all about a hostile takeover by this government of CCACs, many who, like my own, came forward and have been very critical of the government's underfunding of home care since last May, when the government decided that it would freeze funding for home care, which for many CCACs actually meant a cut in their budget for this year. That is true in my own association, because this association had a deficit last year. It was covered by the government. Instead of getting that full amount, the CCAC is back to the very amount last year that was insufficient, inadequate, to deliver home care in my community. The government's decision in May represents a cut in the Manitoulin-Sudbury CCAC; a deficit of about \$1.8 million, \$1.6 million of which is due entirely to increases in the contracts it has with other service providers to deliver home care.

This government has made much of the fact that funding has increased for CCACs. The minister and then the Premier in June of this year tried to say that it was the incompetence of the boards and their mismanagement of funds that was leading to the crisis in home care. Speaker, do you know that the Manitoulin-Sudbury CCAC, over the last three years, has seen an increase of \$487,000 in its budget? Over the last three years, that's the only increase it has seen—\$487,000. It represents one fifth of 1% of the total increase that all CCACs received in the last three years—one fifth of 1%. I can tell you that the volumes for nursing, the volumes for homemaking services, the rapid discharges from hospitals, all of those needs have dramatically increased way past one fifth of 1% in my community. But that's the sum total of the increase our CCAC has been given to deal with the increased need for home care in our community.

Let me be clear. The government's move has nothing to do with trying to take control of incompetent boards that are needlessly, wastefully spending government money for home care services or on other things. That's not what's happening. It's not what's happening in my CCAC, and I suspect it's not what's happening in the overwhelming majority of CCACs that deal with all of us as members. As I said earlier, the fact is that the bill is really about the government getting control over CCACs. If you look at Bill 130, the government does that in a number of ways. I talked about this in the debate on second reading, and I want to reinforce these points today so that people who are watching clearly understand that it has nothing to do with improving home care and everything to do with assuming control.

First, the bill exempts community care access centres from the Corporations Act. Under the current Corporations Act, it is mandatory for your CCAC board to sell memberships. You have to do that under the Corporations Act. It is mandatory for you to hold an annual general meeting. It is mandatory for you, at that meeting, to hold an election for your board of directors so that they are duly elected from the community they are supposed

to represent. It's also part and parcel of that annual meeting for the objectives of the corporation, for their plan for the next year, for their budget, for their audited statement from the CA firm that did it etc, for all of that information to be public and available.

What normally happens is that that same evening, once the board has been duly elected from members of the corporation, ie members of the public who are there, then the same board itself elects a chair and a vice-chair. That's mandatory under the Corporations Act right now.

I listened with interest to Mr Klees, who said, "It's time we have some different people on those boards. We have to get rid of some of those people who have been appointed." I don't know what's going on in his CCAC, but there haven't been appointments by this government at our CCAC since the first annual meeting they had when they were first constituted after 1996. After the government did its OICs to create the first board, at the very first general meeting after, which occurred about 10 months after in our case, those people were duly elected by the community. That was the end of the government appointments.

That is the process that should continue. I'm not interested in having the government appoint its lackeys to the CCAC board, the five or seven of them who will run all the affairs of the corporation, who because they are exempt from the Corporations Act don't even have to have an annual meeting to tell the public what they're doing, don't have to elect people from the board. No, the government's going to take care of that themselves. I'm interested in the local representation elected from the community that has been part and parcel of our CCAC since at least 1997.

If you look under subsection 7(1), the Lieutenant Governor now appoints the board members. Gone are the public elections by members of the corporations. No, the government has seen to that. Now what we've got is this government deciding who's going to be appointed.

The government couldn't even take the step of what appears in the Ministry of Health Act right now, to at least ensure diversity so that the board members reflect the population that is getting service in terms of ethnicity, linguistics, geography, interests, their own special skills etc. At least under the Ministry of Health Act, for DHCs it's right in the legislation that the board members have to reflect that diversity. The government didn't even take that step, because they're not interested in diversity; they're interested in getting people on there who are going to be their friends, who are going to muzzle any further opposition or criticism that might come out with respect to the current government's underfunding. That's why we're seeing such a dramatic change.

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If you look at subsections 10(1), 10(2) and 10(4), those subsections refer to the appointment of the executive directors. Again, it's no longer the duly elected local board that goes out and does a posting and hires an executive director, who is responsible for his or her employment back to the board; no, the government is

now going to take over control and appoint the executive directors, a move that is, frankly, unprecedented in terms of health care corporations that provide service. And why? Because the government wants to be sure that they pull the strings, that they have control over the person who is running the daily operations, so that they can be sure that what is done is in the government's interest—not the local community's interest but government's interest—and that the executive director, for example, can't be a pipeline to the media or MPPs, to talk about underfunding or waiting lists or people who can't get service. God forbid that that might happen. So the government is going to make sure it doesn't happen, and the government, not the local duly elected board, now has control over the appointment, the remuneration, the benefit package, the severance and everything else of the executive director.

You know what, Speaker? It even goes further than the executive director. If you look under subsection 15(1), there is a list of things that CCACs cannot do before they are designated under this act. One of those things is that they have to go to the Ministry of Health for approval of a particular individual for a managerial position. So not only do they control who is on the board, who is the executive director, but under the section I just referenced, they also have control over who is chosen to be in a management position—a case manager, for example. Tell me what Queen's Park knows about someone who is good for case management in Sudbury, Ontario. They don't. Again, it shows you the extreme to which the government is prepared to go to ensure they have control over the day-to-day activities of what goes on in CCACs.

Under section 11, the Regulations Act does not apply to Bill 130. The importance of that is as follows: the government, the minister, will give direction to CCAC boards under this legislation. By exempting this from the Regulations Act, it means those directions don't become public. They don't appear in the Ontario Gazette like other regulations and directions normally would.

You ask yourself, what does the government have to hide that it has to go to that extreme? The government will now make sure that the directions the minister issues to CCACs that are supposed to be delivering health care to people in our community—something our community should know something about in a public way—the government will ensure that even those directions that are given to CCACs about how to operate and who will get service won't even become public matters.

The final section, section 18, says that the minister will make available an annual report. Most CCACs were already doing that as a requirement of their annual general meeting under the Corporations Act. There is nothing new. But what is new about that section is that the minister will distribute or will allow to be distributed only that other information that the minister feels is in the public interest. Well, I can guarantee that the Minister of Health will not think it in the public interest to release publicly the deficit in the CCAC in my community or any other. I can guarantee that the Minister of Health will

not believe it to be in the public interest to provide information to the public about how many people have had their services cut off or reduced as a result of that deficit. I can guarantee you, as I stand here today, that the minister will not deem it to be in the public interest to have the Manitoulin-Sudbury CCAC release its waiting list for services to people who want to know and who should be able to know in my community. I can guarantee that anything that smacks one little bit of criticism of this government or of a deterioration of home care in my community won't be in the public interest and won't be released.

Again, it demonstrates to me, and it should to everyone who is watching, the length this government is prepared to go, to ensure that it controls who is on the board, who is running CCACs on a day-to-day basis and what information is given to the public about the operation of the CCACs. It is completely draconian and completely shameful that the government will go to that extreme to ensure information can't be leaked out that might imply criticism of this government's underfunding of home care.

The minister in her comments today again would have people believe that it was a review that was done by PricewaterhouseCoopers last December and finally released in June this year that is the natural end result of where the bill came from, that as a result of the recommendations and what was in that revue, this is how we got Bill 130. Nothing could be further from the truth. PricewaterhouseCoopers makes it clear in their executive directory that their review had nothing to do with the governance of CCACs. They qualified that explicitly in the executive summary of this report. It had nothing to do with governance, yet almost all of the sections I just referred to which showed the government clamping down on CCACs have to do with this government changing the governance structure of CCACs. That did not come from this report.

Second, there's nothing in the report that encourages the government, tells them, directs them, recommends to them to take over CCACs in the manner I have previously described: ie, the Lieutenant Governor appointing the board, the government appointing the executive director, the government having to approve people in managerial positions, the government having control over what information is disseminated to the public; nothing in the recommendations of this report tells the government to do any of that in terms of the findings that came from PricewaterhouseCoopers, nothing at all. That is clearly a direction that this cabinet wants to take to muzzle people. It doesn't come from the PricewaterhouseCoopers report.

Third, the report does contain many recommendations on what the government should do to improve home care in Ontario. The sad reality is that the recommendations that tell the government to do something don't appear in Bill 130. Oh, no, none of that appears in Bill 130. In my debate on second reading I listed at least 10 areas where the review calls on the Ministry of Health to do something to improve home care, and I can tell you that those recommendations don't appear in Bill 130.

Finally, the review is very specific. It says categorically, without a doubt, that this government has to increase its investment in home care if the system is going to work. It says that particularly in recommendation number 4 and it also says that in the executive summary at the front of the report. I want to quote it and put it into the record. It says the following: "Given that a strong home care sector is critical to the future sustainability of the health system, it is recommended that strategies be implemented to strengthen the role of CCACs and position them to meet growing future demands."

This is consistent with the ministry's business plan for 2000-01, which states, "To provide better care for patients and improve access to services, we will expand and enhance our community-based health care, home care and psychiatric services." This is what the Ministry of Health business plan says. Did the Ministry of Health expand the budget for home care this year? No, the Ministry of Health froze the budget for home care which, in the case of my CCAC, was a cut in funding. That was the same scenario that faced many other CCACs across the province beginning in May.

You see, what's interesting is recommendation number 4, which the minister has never talked about. Isn't that strange? Neither has any single government member talked about this particular recommendation. PricewaterhouseCoopers said the following: "The ministry should continue to move forward with its commitment to invest in CCACs as indicated in the ministry's 2000-01 business plan and ensure consistent funding approaches across the province."

The business plan says, "Invest more," not "Freeze," not "Cut." How come I've never heard Minister Johns mention that recommendation? How come I've never heard any government member mention that recommendation? How come I'm not going to hear any of them mention that today in their remarks? Because it is clear that if the system is going to work, the government has to invest, and the government does not want to do that. The government is more interested in bashing local boards of directors who had the audacity to come forward and be critical. Then they recognize what is a fundamental recommendation in this report: "The government needs to invest more."

PricewaterhouseCoopers concluded: "The aging population, growing consumer demand and continued efforts on the part of hospitals to expand outpatient services and reduce length of stay indicate that current resource alignment will be inappropriate in the future," ie, the current amount that the government has in home care will be inappropriate, and this bill does nothing, not a single thing, to deal with that important recommendation from this independent consultant's study.

1710

There are a number of groups, a number of individuals who have let us know they are opposed to the bill. What's interesting is that while the minister has tried to say repeatedly that the bill responds to concerns that they have received from seniors, that the bill responds to con-

cerns about access that have been received from organizations etc., do you know that the groups that represent seniors have been writing in and faxing and calling and saying, "We oppose Bill 130"? They're not calling to say they support it; they're not endorsing what the minister has tried to say in this House. They are sending letters that say, "We oppose Bill 130." The minister has no support for this bill from the very people who are dependent on home care, the very people she says this bill is trying to help. She has no support from them and their organizations.

The council of Kingston sent in a recommendation on December 4 opposing this bill. The Association of Jewish Seniors, which represents 5,000 seniors in the greater Toronto area, sent in a letter on November 29: "We oppose Bill 130. Have some real hearings if you're interested in doing something." The Ontario Coalition of Senior Citizens' Organizations, which represents about 350,000 seniors in this province, has written to us, and the minister has these letters, to say, "We oppose Bill 130. It does nothing for home care. It has everything to do with silencing people who have come forward and have been critical about the current underfunding. Withdraw this bill. If you're interested in doing something, hold some public hearings and let's talk about real long-term-care reform."

The Alliance of Seniors represents over 300,000 people as well, seniors. What did they say? "We urge you in the strongest possible terms to withdraw Bill 130 and your plans to take control over the governance and management of CCACs. Scapegoating CCACs is not the answer to the issues in home care."

The ONA, the Ontario Nurses' Association, many of whose members provide services in CCACs: "Withdraw the bill. It does nothing to improve home care." This is from Community Care Peterborough, who wrote to us and said, "Get rid of this bill. It's completely dictatorial."

Here's the CCAC board of Waterloo region. The chair, Norma Marossi, says, "I am truly offended by the message that the proposed legislation sends." The vice-chair, John Enns, says, "The implications of the proposed legislation is a slap in the face the week after the Waterloo CCAC was praised for its accountability and effectiveness in a glowing report from the Canadian Council on Health Services Accreditation." The chair also said—and I just want to give you one final quote from her—"The news about this legislation was a shock, because up till now the province has been complimentary of the service that we have provided. Our board no doubt will soon be replaced, as we understand that this legislation is on the proverbial fast track." I suspect that Norma is right.

Finally, the chair of my own CCAC, Sudbury-Manitoulin—who resigned on November 8 and then our board would not accept his resignation because he has done such a fine job to support people in our community—Bob Fera, said the following: "I feel I must resign as I consider this government's planned takeover of the CCACs in this province as a hostile one and a slap

in the face to all volunteers in the province of Ontario, and to my opinion their planned legislation is nothing more than smoke and mirrors to cover this government's lack of adequate funding and commitment for proper home care of our seniors."

There's a lot more that I could say, but I know my colleague from Timmins-James Bay wants to speak. I just want to say the following in conclusion: Bill 130 does nothing, zero, nada, absolutely nothing, to enhance home care in the province of Ontario.

Interjection.

Ms Martel: My colleague is going to give me the last five minutes. I'm going to go for it.

That's a real shame, because the fact of the matter is that the current underfunding of home care that is occurring right now in the province of Ontario is having a very dramatic and a very negative impact on seniors, on the disabled and on people being discharged from hospital in our province.

The effects of the freeze, which in too many cases, like the case in Manitoulin-Sudbury CCAC, was a cut in funding this year, are the following: seniors, the frail and the elderly are having to go without the home care services they need, whether that's homemaking services, whether that's home care services, whether that's physiotherapy, whether that's speech pathology, whether that's rental of equipment that they need to remain in their own home. Those people who can't afford it are having to go without, and that will have a greater cost on the health care system as a result. That's because those people who can't get home care services have to go to their family doctor because they need care, because they're deteriorating, or they have to go to the walk-in clinic because, as in my community, we have a shortage of doctors, so that's where you end up when you can't see your own family physician. They're at the walk-in clinic or they're also in the emergency ward because they can't get the services they require.

We note, and the Waterloo CCAC pointed this out in information that we all received about two weeks ago, that there has been an increase in the number of people going into long-term-care institutions. The Waterloo CCAC pointed that out and juxtaposed that with their statistics from last year. They have seen an increase in people who have now had no choice, because they can't get the care that they need in their own home; but to now go into long-term-care facilities. That makes no sense.

I know the government is really anxious to try to fill the nursing home beds that have been built in the province by so many of their wealthy corporate friends. I know the government's really interested in making sure they can fill those beds on behalf of their friends. But you know what, Speaker? It's a bloody shame that the government is more interested in making sure that those beds are filled so their wealthy friends can benefit than they are about trying to ensure that people who can remain in their own homes are allowed to do that for as long as possible, because at the end of the day there is a

dramatic and a very negative impact on those people who would prefer to live in dignity in their own homes.

Sadly, there's also a cost to the health care system, because at the end of the day it costs the whole health care system and all of us as taxpayers far more to be caring for people in long-term-care facilities than it does for us to support them in their own homes and make sure they get the home care, the nursing services, that they need, to make sure they get the homemaking services they need, to make sure they get the physiotherapy and speech therapy services they need, to make sure that the medical equipment that they need to be sustained in their home is available to be rented from the CCAC at minimal cost. It makes sense to ensure that we are providing them with the medical supplies that they need and that are very expensive to buy otherwise, which is an expense which is also forcing people out of their homes and into long-term-care facilities.

It makes no sense to go down the road that we are going down. The only thing I can assume is that the government is trying to keep its friends in the private long-term-care sector happy by making sure there will be people to fill those beds. That comes at the expense of seniors who would rather not be in the beds, and it comes at the expense of the whole health care system because it costs more to do that.

In conclusion, let me say that the minister is quite right: our party refused to be part of the charade. The charade was to accept a motion that would have given us three hours of public hearings and then had us move directly to clause-by-clause to clearly demonstrate that the government wasn't interested at all in hearing from the public and certainly wasn't interested in amendments being put by the opposition. So we told the government House leader last Thursday, "No way. Stick it in your ear. We're not going to negotiate a settlement. We're not going to agree. You bring forward whatever motion you want, but we will not be party to a farce or a charade or a hoax or anything else."

What the government should be doing today is withdrawing Bill 130 and having meaningful public consultations about reform of home care across this province in the break.

1720

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): I would have expected perhaps a greater defence of the closure motion. I see the Minister of Energy is here, and well he should be, because in a sense we are laying waste one of his projects as the first Minister of Health in the Harris government. I want to simply say that I think any self-respecting member who would give this bill any kind of positive attention—

Interjection.

Mr Conway: You laugh. We are here today, apparently, to put paid to a concept and a design that you proudly brought here five years ago.

Hon Jim Wilson (Minister of Energy, Science and Technology): It still stays intact.

Mr Conway: Bark if you want; get into the debate. You just passed an opportunity to stand in your place and explain how it is that you feel this closure motion is a good thing. Let the record show that the former Minister of Health now takes his leave.

We've got the member from Huron in here today ramming this Bill 130 in our face and sitting smugly, as she does, saying that it's all in the public interest. Well, to hell with her, I say. The previous speaker rightly observed—

The Deputy Speaker: Order. I think we crossed the line there. I'd ask you to withdraw that.

Mr Conway: I will withdraw, Mr Speaker. I would not want to offend the Victorian sensibilities of this very self-respecting Parliament, which seems to want to take any amount of abuse offered up to it. I'm not in a very good mood today, for a variety of reasons which I won't get into in my very limited time. I should, after all, be really pleased that I've got a few minutes to contribute to the debate.

I represent a big slice of rural and eastern Ontario, and let me tell you, my constituents are not very happy about this home care business. The previous speaker spoke, I think, for a lot of people when she said that no self-respecting member of this Legislature would want to truck with the kind of parliamentary procedure that the associate minister of health has in mind for dealing with amending Bill 130. I wouldn't touch it with a barge pole. This bill is an affront to the frail elderly and it's an abuse of this Legislature. I think the closure motion should be treated in exactly that fashion.

Of course, nobody is paying much attention here today, and why would they? Why would they? Because what we are here to do today is essentially acknowledge that Jim Wilson's master plan of five or six years ago has come unglued and unstuck.

My constituents clearly understand that the community care access centres, those local agencies which are designated the responsibility of supervising the delivery of home care, have had dumped on them a very big, new and costly responsibility, namely dealing with a vastly increased number of complex and acute patients who have been discharged from active treatment hospitals quicker and sicker than ever before. I am told by knowledgeable people that whereas five years ago 20% to 30% of the budget for the home care program was given over to acute care patients, that figure today has risen to something like 60% to 70%. So when I hear the prattle from the treasury bench about, "We're spending more money," I don't doubt it's true. But you're now asking home care to look after a very large part of the acute care patient load that until recently had been provided for, in the main, in an institutional setting. Is it any wonder that \$1.2 billion is not adequate to carry that load? Of course it isn't.

I want to say to the government, I can understand how there may be a situation in Hamilton or some other place where you've got behaviour that you consider unacceptable. But then to bring in this kind of legislation

to say that all the other community care access centres should be treated with the same hammer, the same kind of takeover? What does that say to good people, whether they're in Pembroke or Petrolia or Goderich or Toronto or Timmins? The whole concept of home care and community care is that there is going to be good, local neighbourhood, community, family involvement, direction and integration.

What have we got in Bill 130? We have got government legislation that represents, as my colleague from Windsor West says, not only a hostile takeover by the province but a dramatic centralization of the home care program here in the heart of downtown Toronto. If you think you're going to be able to effectively deliver home care programs in communities like Madawaska, Whitney, Stonecliffe, Calabogie, Beachburg, Barry's Bay and hundreds of communities like that from the Hepburn Block, you are intoxicated with a sense of your own power and importance beyond all my comprehension.

It will be a screw-up of dramatic proportions. And who will be affected and who will be disadvantaged? Tens of thousands of frail elderly, people who understand that there have to be some design changes, for sure. Minister Wilson came here a few years ago and I had some sympathy for his problem. What did he tell us was one of the reasons for the new design? He felt that organizations like the Red Cross and the VON and others, mostly in the not-for-profit health and social service sector, many of them in business for decades, over a century in at least one or two cases, had developed over time too much of an administrative overhead and therefore we had to create a new paradigm, had to allow a more competitive marketplace to work in this home care, community care part of the health and social services sector.

What do I hear now? Guess what's happened. The market's been working all right. More and more of the not-for-profits have been pushed out and the for-profits are in there doing a land office business. The per unit price of most things has gone up, and now the insurer, Her Majesty's provincial government, is saying, "My goodness, one of the"—I see heads shaking underneath the gallery. Perhaps I'm wrong. It's too bad we don't have a legitimate, bona fide parliamentary environment where smart, knowledgeable people could come and talk to us. We have this stupid show trial around here that more and more members, unfortunately too many of them too young and too new to know they're being had, allow to continue.

This is an important bill, like a number of other important bills. And what are you going to get? You're going to get another dose of the plebicitarian nonsense that makes this place so patently irrelevant: have an election once every four years and then let the devil take the hindmost.

Most of us haven't a clue of what's really going on here. How could we in this kind of parliamentary environment? All we know is what we hear.

I'm out in my constituency, as are most other members, and I'm hearing from the very people whom we intend to benefit from these services. We are promising the moon and delivering a thin slice of rancid cheese. Yes, there are problems. Is this takeover going to solve the problem? I doubt it. The notion that we are going to have better home care delivery with a centralized Queen's Park takeover is madness on stilts.

I can understand the frustration of a cabinet and of a minister faced with intractable non-compliance in certain areas. I don't know the Hamilton story. Maybe it's bad enough to justify a trusteeship. But I can tell you one thing: it is not acceptable justification for Bill 130 and the companion closure motion we've got here today—time allocation motion, I should more properly call it. Stuff it down our throats like a bunch of stupid turkeys before Christmas is, I guess—and the Queen of Huron county smiles benignly. I hope you can smile in the face of all these older people.

I went to a meeting of retired teachers on the weekend. One of their number one concerns is what's happening with home care, and they're not very pleased. They look at Bill 130 and they say to themselves, "How is this going to work?"

I can tell you that one of the problems with modern government is the place is full of people very strong on policy development. Fewer and fewer people know anything about program implementation. Even in a perfect world it is going to be one hell of a challenge to effectively deliver the kind of programs we intend, even from a community base like mine in the city of Pembroke, out across an area of almost 7,000 kilometres. Is that not the right phrase? Hectares, I guess. What is it? It used to be 3,000 square miles.

1730

Hon Norman W. Sterling (Minister of Consumer and Business Services): Hectares.

Mr Conway: Is it hectares? Thank you, Norm. It's a very significant challenge, but we just think, "Oh, well, it's got to happen." Why? Because some bureaucrat, some politician, said it has to happen.

We are here today to now say, in a very short period of time, the Wilson plan—Jim, when was that, 1996? He's not going to answer. I guess I made him mad. Too bad. It's about five or six years ago that we had the Wilson plan, and for those of us who paid any attention—

Hon Mr Wilson: And the board was appointed by government.

Mr Conway: And the board was appointed by government. Well, all I know is what I've got in front of me. I'm not saying you don't have some problems, but what have we got here? You've got this plan now to take it all over.

Interjections.

The Deputy Speaker: Order.

Interjections.

The Deputy Speaker: Stop the clock. Take your seat. There is absolutely no excuse for that kind of cross-talk

at the other end of the House that has nothing to do with what's going on here. When I asked you to come to order, you continued. That's unacceptable behaviour, and both of you know it. So please, not again.

Sorry for the interruption. Please continue.

Mr Conway: Everybody should be annoyed, because here we sit, the whole lot of us, government and opposition, and really important legislation is going to go flying through because somebody is mad over at health or treasury. We're all going to put our yea or nay to it and then hope and pray that God or some other intervention saves us from probably being made to look the fools that we're going to be made to look like in—enough time probably will pass before the next election.

I guess I've just been around here long enough to say that I feel a certain residual responsibility. This legislation is an admission that the last plan was fundamentally or seriously flawed. I don't know exactly how, although I've got some ideas based on my own experience.

I repeat: roughly 70% of the business for these home care delivery agencies now is acute care. The Minister of Energy shakes his head in the negative. I am sorry, Jim, but people closer to the scene than either one of us say that's so. I was talking to a nurse the other day and she told me that the combination of what's going on in home care and in some of the hospital sector is making her life just an increasingly chaotic and unsatisfying situation, dealing with a lot of these cases.

The cases that are brought to my attention are clearly ones where people are being discharged quicker and sicker from the local hospital, they're going home, and the resources are simply not there for a variety of reasons, not the least of which is that more of these complex or chronic cases are now being expected to be looked after at home. That is a very major and very expensive undertaking. So when people say to me, "We're spending more money," of course you're spending more money if that is the new mandate. That is not the mandate we advertised five and 10 years ago for home care. I don't care who is running the system; you're going to have this kind of pressure if it's not addressed elsewhere.

I am angry because my constituents particularly—I was out the other day talking to an 81-year-old who lives in the south Nipissing part of my constituency. He is 45 kilometres from the nearest health and hospital centre.

Mr Gilles Bisson (Timmins-James Bay): Hey, Sean, come to my place.

Mr Conway: I know.

These are the people we're trying to do something about. When he heard, because he heard it on the radio, he said, "Do I hear that now the plan is to essentially take control and centralize it in Toronto? Is that a fair representation?" I said, "Well, on the basis of a certain reading of the legislation, I don't think it's an unfair representation."

It's tough enough in my area to deliver the program out of Pembroke and into some of the hinterland. This circumstance that we've now got, to say nothing of the kind of volunteers you depend on—how does good home

care work in rural Ontario? You better hope the families, the local municipal office, the doctor's office, the local churches, the United Church Women, the Catholic Women's League—a whole series of informal networks—are in place, with some community leadership committed to making it work. If that's not there, you can spend billions of dollars trying to replicate that structure and never get close.

I look at the new legislation and I just shudder. I say again, I know there's a frustration in government, because I gather there have been some bad actors. Deal with the bad actors. Province, clarify your mandate. If it's going to be much more about acute care delivered in home settings, then fess up to that reality and pay the bill. But this time allocation motion to support Bill 130 is, in my view, a real insult, not only to this Legislature but to the tens of thousands of frail elderly out there who are expecting that we are going to improve, not worsen, their situation.

I simply say in conclusion, what meaningful dialogue have we had with anybody? The minister stood up here on November 7, just before we adjourned for constituency break—that's less than five weeks ago—and announced a dramatic takeover in Bill 130. I haven't been privy to the machinations around committee time, but let's be realistic. A month after the bill is introduced to the Legislature and the public, we have government notice 109 basically saying that it's all going to be over within a very few days of this moment. And we think that is some kind of meaningful consultation with anybody about a complex and sensitive matter of public policy?

As I look at my friend from Orléans, I'm sure he, like most members, understands the sensitivity around home care, because it really is a front-line service. I repeat, I have been getting a very large number of oral and written inquiries, concerns, complaints, about what's been going on. When they find out the reality of this, I don't expect the volume to decrease in that respect, but can we be serious? Can we be serious as community leaders and can we be serious as legislators that we have given this subject the kind of consideration and public consultation that it deserves?

I just resume my seat, asking myself the question: why would anybody take us seriously if this is the way we're going to discharge our responsibilities on a matter of this kind of urgency and public sensitivity?

The Deputy Speaker: Further debate? Prince Edward-Hastings—the member now has the floor.

Mr Ernie Parsons (Prince Edward-Hastings): Dr Richard Potter, a real gentleman, who resides in my riding and was Minister of Health under the Bill Davis government, when asked what was his greatest accomplishment as minister, said it was the development of the home care system. Then he added that his greatest disappointment has been this government's dismantling of that system.

This is a political move, pure and simple. It does not improve the quality of service to a single resident of Ontario. It is a power grab, pure and simple. It is ironic

that they're using time allocation to limit debate when the entire purpose of the bill is to limit any reaction from the real people in the community who know what is going on. The calls that come to my office are not about the governance of CCACs; they are about the lack of funding that produces a lack of services.

Within my riding, this government committed in writing to provide equity funding so that every resident in Ontario would have the same home care dollars. They reneged on the promise—another promise made, another promise broken. They have talked about flatlining the budget when in fact, because of increased contracts that they have required with the suppliers, there has been an 18% cut, an 18% cut that is driving senior citizens into nursing homes and backing up individuals in hospitals, unable to leave hospital.

When they talk about putting more money into home care than they ever have, we need to put it in perspective that over the life of this government they have cut the number of available hospital beds by 9,000. Services that used to be delivered in hospitals now must be delivered at home, or in fact are not being delivered at home with these cuts.

With the concept of appointed boards, are we going to get experts? Well, I would suggest the phrase, "I'm from the government and I'm here to help you," applies here. The local people on these boards now are people who know their communities. If you have a concern, you can stop, you can see them in the grocery store, you can pull in their driveway and you can ask them a question. With the appointments, we're seeing a concentration of power in Toronto.

1740

I challenge anyone in Ontario to try to phone the minister, to try to phone the Premier. You get a 1-800 number that rings to no answer or rings to voice mail. This government that preaches accountability in fact is removing accountability from the local access centres. People in their local communities know what is best. The concept of a cookie-cutter approach that what works in one CCAC will work in every other simply does not.

This in fact is a creation that the government's made. They're wanting to kill the approach they've taken to it, because they think it doesn't work. It in fact has worked, and worked only too well, where we now have boards and we have executive directors speaking up and saying, "It is not working. You cannot give us less effective money. You cannot cut services. You cannot take and starve the system and expect the people of Ontario to accept it." So they are being penalized for being an advocate and a voice for it.

The whole approach of this government has been the attacks on the elderly and on the sick. This does no one a service whatsoever, other than an ego trip. Does it save money? Obviously, it does not. Is money the issue? We spent a quarter of a billion dollars in ads in this province that are clearly more important to this government than looking after the sick and the elderly of this province.

This bill is a shame and a sham.

Mr Wettlaufer: I've listened very attentively to the arguments of the members opposite. I, of course, have listened to our own members speak. I think it's painfully clear that some of the members opposite don't realize that it was our government that brought in community care access centres. I think it's important to note that the community care access centre initiative was important enough to our government and it was important enough to the people of Ontario that we initiated the CCAC to support the accessibility of a whole range of services under one roof.

Now, why was it? It was necessary to support the elderly, medically fragile students, people with disabilities and those who are chronically ill. We also wanted to enable them to remain in the comfort of their homes as long as possible.

Mr Bisson: That's a good thing, Wayne.

Mr Wettlaufer: Yes, it's a good thing, I say to the member from Temagami. It is a good thing.

Mr Bisson: Temagami?

Mr Wettlaufer: Or Timmins-James Bay; sorry.

The community care access centre model offers access to community-based services, home care, long-term facilities and hospital discharge programs, all under a single umbrella.

I'd like to talk about the home care initiative as an example. The funding for home care is up by 70% in six years. Now, it has increased to approximately \$1.1 billion in this fiscal year. Now, let's think about home care for a moment. This is not provided for under the Canada Health Act. Last year, in a federal election, the federal government campaigned on providing funding for home care. Guess what? They won the election and now they haven't come forward with any money for home care. Home care is a problem right across this country. I say to the people who are watching on television here today that the federal government has provided no funding for home care. In some provinces, home care isn't covered in the medicare programs.

I look at Waterloo region, where I come from; Kitchener is in Waterloo region. Annualized home care funding in the Waterloo area has increased—and I would say this is a rather dramatic increase—from over \$32.3 million in 1998-99, so we're only talking two fiscal years ago, to an estimated \$39.5 million, an increase of \$7.2 million, or 22%.

I say to the member for Timmins-James Bay, with increases like that, how much is enough? We can keep on increasing, right? Health spending in this province is up already. It was \$17.4 billion when this government came to power in 1995. I recall the Liberals campaigning in 1995, saying how they would keep funding at \$17.4 billion. Well, the funding for this year in health care in Ontario is \$23.7 billion. That's an increase of \$6.3 billion in this province alone, by this provincial government alone. I say to you, Speaker, and I say to the members of the opposition through you, and to the people watching, at this same period of time, the federal government's

contribution to Ontario's health care funding has actually gone down by \$100 million.

Hon Brad Clark (Minister of Transportation): Say it isn't so.

Mr Wettlaufer: No, I'm afraid it is so. The federal contribution to the funding problems in this province has decreased by \$100 million.

Ms Marilyn Mushinski (Scarborough Centre): Shame.

Mr Wettlaufer: Yes, it is a shame.

Mr Dwight Duncan (Windsor-St Clair): Funny how they've got a balanced budget.

Mr Wettlaufer: The member for Windsor-St Clair says, "Funny, the feds have a balanced budget." Of course they have a balanced budget. They get it by reducing health care funding to the provinces. Of course they were able to balance their budget.

Mr Duncan: Scrap your tax cuts.

Mr Wettlaufer: The member for Windsor-St Clair says, "Scrap tax cuts." That's the Liberals' panacea: scrap tax cuts. The people of Ontario want the tax cuts. But you, the Liberals, say to scrap the tax cuts. You don't want any tax cuts. The tax cuts are responsible for an increase in the revenue in this province, and as a result of the increase in the revenue to the province, we have actually increased the share of health care funding. The percentage of health care funding in relation to the total funding envelope is actually higher today than it was in 1995.

The Leader of the Opposition, I noticed recently, has been saying, "Health spending by the federal government is adequate." I want to say that over and over again. The Leader of the Opposition says, over and over again, that health care funding by the federal government is adequate, in spite of the fact that they have reduced funding for this province to the tune of \$100 million. In addition, he has been trying to convince the public for months, for years, that health care funding has actually gone down in this province. That's funny. The Ontario auditor believes that it has gone up by \$6.3 billion.

But I understand. The Liberals are in opposition. The member for Hamilton East said last week, "Of course you get upset with us, because we oppose everything. That's our role. We're in opposition. It's our role to oppose." That's what you said. All they ever do is oppose. It doesn't matter whether a bill is good or bad; they oppose it.

As a government, we have demonstrated our continued support of the CCAC initiative. We have increased funding. But this year we asked for some accountability on the part of the CCACs. We have asked them to try to carry out government initiatives. I guess we could have said, "We would like you to carry out the Liberal initiatives." If we had done that, then we'd have said, "Spend all you want. Create deficits." Of course, if you carry out the Liberal Party initiatives, they're dedicated to defeating a government. It would be rather foolish if we said, "Don't carry out the government initiatives." Of course, the NDP are going to oppose as well, and they've

got their own reasons. We've asked the CCACs for some accountability. Do the Liberals not want accountability? The Liberals don't want accountability.

Interjection.

Mr Wettlaufer: I hear the member from Windsor-St Clair right now. You're opposing the issue of accountability. You don't think that anybody should be accountable, right?

Interjection.

Mr Wettlaufer: Thank you. I'm glad to hear that.

Mr Duncan: On a point of order, Mr Speaker: I seek unanimous consent to send this bill back to hearings for proper public scrutiny and proper accountability of the government.

The Deputy Speaker: I hear a no.

The member will please continue.

Mr Duncan: On a point of order, Mr Speaker: I need your direction. Will the record reflect that the government said no to those hearings and that accountability?

The Deputy Speaker: The record will just show that I heard a no, not where it came from.

Mr Duncan: But it won't say that you heard the no from the government side, refusing to have committee hearings?

The Deputy Speaker: The record will show as I've stated. Please take your seat.

Hon David Turnbull (Solicitor General): On a point of order, Mr Speaker: I would seek that the member from Windsor-St Clair take back his unparliamentary language, if he thinks it's appropriate.

The Deputy Speaker: I didn't hear it, but that doesn't mean it didn't happen. I'll give the member an opportunity to withdraw, if he feels that he said something.

Interjections.

The Deputy Speaker: No? All right. Order.

We're down to the last 30 seconds. Let's give the member for Kitchener Centre the respect he's due to finish his speech.

Interjections.

The Deputy Speaker: Order.

The member for Kitchener Centre may continue.

Mr Wettlaufer: Thank you, Speaker. I presume that you obviously didn't hear the "no" come from the other side as well.

We've encouraged these CCACs to employ good case management practices to ensure that their clients get the services they need. We feel that through this bill, we're well on the way to having a stronger CCAC system. We've looked at the PricewaterhouseCoopers program review report and we agree with it.

Mr Duncan: Can we expect you to vote against the motion now?

The Deputy Speaker: If the House leader for the official opposition would contain himself, we'll move forward with those votes.

Mrs Johns has moved government notice of motion number 109. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate by saying "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1753 to 1803.

The Deputy Speaker: Those members in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted
Baird, John R.
Barrett, Toby
Beaubien, Marcel
Chudleigh, Ted
Clark, Brad
Coburn, Brian
Cunningham, Dianne
DeFaria, Carl
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Galt, Doug
Gilchrist, Steve
Gill, Raminder
Hardeman, Emie

Harris, Michael D.
Hodgson, Chris
Hudak, Tim
Jackson, Cameron
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank
Miller, Norm
Molinari, Tina R.
Munro, Julia
Mushinski, Marilyn

Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Runciman, Robert W.
Sampson, Rob
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Tumbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Young, David

The Deputy Speaker: Those members opposed to the motion will rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic
Bartolucci, Rick
Bisson, Gilles
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Brown, Michael A.
Bryant, Michael
Caplan, David
Conway, Sean G.
Crozier, Bruce
Di Cocco, Caroline

Dombrowsky, Leona
Duncan, Dwight
Gravelle, Michael
Hampton, Howard
Hoy, Pat
Kormos, Peter
Lalonde, Jean-Marc
Levac, David
Marchese, Rosario
Martel, Shelley
Martin, Tony
McGuinty, Dalton

McLeod, Lyn
McMeekin, Ted
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ramsay, David
Ruprecht, Tony
Sergio, Mario
Smitherman, George

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 47; the nays are 35.

The Deputy Speaker: I declare the motion carried.

It being after 6 of the clock, this House stands adjourned until 6:45 this evening.

The House adjourned at 1807.

Evening meeting reported in volume B.

ERRATUM

No.	Page	Column	Line	Should read:
76B	4270	2	54	forward by The Elliott which needs a change in its

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Flamborough-Aldershot		Hamilton Mountain	Bountrogianni, Marie (L)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Beaches-East York	Prue, Michael (ND)	Hastings-Frontenac-	Dombrowsky, Leona (L)
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Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kingston et les îles	
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Niagara Falls	Maves, Bart (PC)	Scarborough-Rouge River	Curling, Alvin (L)
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**Legislative Assembly
of Ontario**

Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 10 December 2001

Lundi 10 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 décembre 2001

The House met at 1845.

ORDERS OF THE DAY

MUNICIPAL ACT, 2001

LOI DE 2001 SUR LES MUNICIPALITÉS

Mr Kells, on behalf of Mr Hodgson, moved third reading of the following bill:

Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities / *Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.*

Mr Morley Kells (Etobicoke-Lakeshore): I am very pleased to speak today on third reading of Bill 111, the Municipal Act, 2001. Today we are ready to make history.

Municipal government in Ontario began with the passage of the Baldwin Act in 1849. Through this legislation, municipalities were created as democratically elected bodies with the power to levy property taxes, mainly to fund the construction of infrastructure—roads and schools—and to serve a new, mainly rural and growing province.

Times have changed. We no longer require householders to furnish two buckets for carrying water for fire suppression, as the Baldwin Act did. Municipalities have evolved to meet the changing needs of a changing society. I know from personal experience that municipalities play a vital role in the day-to-day lives of everyone in Ontario. Where once they provided mainly hard services—roads, water and sewer pipes—today they offer a wide range of services both hard and soft. They have had to develop expertise in a rapidly increasing number of service areas that their citizens demand: parks and recreation, child care, community health and economic development, to name just a few.

Over time the legislation governing municipalities has been added to and amended to reflect changing municipal roles. As a result, it has grown longer and more complicated. Parts of it are no longer relevant to today's municipalities but remain in force. At its heart, it remained a prescriptive law telling municipalities in great detail exactly what they were allowed to do. If a municipal council wants to do something new to respond to some local need, the municipal lawyers have to look

through hundreds of pages of laws to see if the authority is there. If not, they have to come here to the Ontario Legislature for an amendment.

It's not much wonder, then, that municipalities have been saying since the first AMO conference 102 years ago that the Municipal Act in some cases had become an impediment to change and innovation. What they needed, they said, was flexible enabling legislation, legislation that would set them free to meet the needs of their residents in the best, most efficient ways possible.

I want to stop here. I didn't necessarily write this speech but it's ministry policy. I want to read it into the record one more time. What they needed, they said, was flexible enabling legislation, legislation that would set them free to meet the needs of their residents in the best, most efficient ways possible. I believe that's what the ministry's trying to do.

I mention that in the House right now because on Thursday we discussed Bill Pr22. I think what the ministry is saying here applies to Bill Pr22. I know there's going to be some opposition from both the government side and, possibly, from the opposition side, but I want it on the record that this ministry calls for legislation that would set them free to meet the needs of their residents in the best, most efficient ways possible.

1850

This government in 1995 made a commitment to bring forward a new Municipal Act. We promised a modern, easy-to-use act, one that would set out areas of responsibility for municipalities, but doesn't tell them in great detail exactly how to do it.

We also wanted to make sure to maintain the fine balance established over the years among competing interests, a balance that gives municipalities the authority they need to meet local needs while ensuring a dynamic, barrier-free Ontario economy in which Ontario towns and cities can maintain their competitive position. Bill 111 maintains that balance.

Over the past few years, we've been working with key stakeholders—actually five years now—both municipal and business groups, to find common ground and achieve a consensus. This bill is a result of that work.

Let me touch on some of the highlights of this bill. If it is passed by the Legislature, this new Municipal Act would give municipalities the tools they need to tackle the challenges of governing in the 21st century. When it takes effect on January 1, 2003, it would allow municipalities to organize and deliver services as they see fit, involving the private sector where appropriate, in

keeping with local needs. I'd like to repeat that. When it takes effect on January 1, 2003, it would allow municipalities to organize and deliver services as they see fit.

It would give municipalities broad, flexible authority in 10 areas of jurisdiction. It would also give them natural person powers, to be used in areas in which they have authority to act. Those are the same powers people and companies have to conduct day-to-day business without the need for specific legislative authority.

Then there are matters of significant provincial as well as local interest. They include the natural environment, health, safety and nuisance. In these areas, in order to protect the provincial interest, the proposed act sets out municipal powers in more detail rather than through broad spheres of jurisdiction. Provisions governing those powers would be streamlined.

I'd like to go back. Then there are those matters of significant provincial as well as local interest. They include the natural environment, health, safety and nuisance. But you will notice that in here they don't mention housing.

These had been considered for spheres in the 1998 draft, but we the government heard loud and clear from municipalities that the limits placed on them in the act were unacceptable; therefore, we have left them as prescriptive powers, a compromise that both levels of government can work with.

As with any broadening of authority, a balance of accountability must go hand in hand. I would point out that municipalities are already subject to certain accountability measures, including, of course, elections every three years. The proposed legislation would add a few more, such as licensing and user fee processes that would be made tighter and more transparent, and municipalities would be required to pass bylaws setting out procurement procedures. These measures are already standard practice in many municipalities.

The proposed new act also responds to municipal requests for tools to make their communities safer when dealing with problem properties. It would allow municipalities to pass bylaws on matters that in the council's opinion are or could become nuisances. They could also ask the courts to close down properties that are causing public nuisance. Such a request would have to be made after giving notice to the Attorney General and with the agreement of the police in order to avoid the possibility of jeopardizing an ongoing police investigation related to the property in question.

The proposed act would also help municipalities deal with heavily fortified buildings used by motorcycle gangs as clubhouses, or by others, by allowing municipalities to enact bylaws to address excessive fortification of buildings.

The proposed Municipal Act would also contribute to the government's Smart Growth agenda by giving municipalities more authority to set up corporations and involve private sector partners in financing and undertaking public projects.

I mentioned earlier that the government worked together with stakeholders in order to make sure this bill meets their needs. That co-operation did not end with the introduction of the bill. We have continued to hear from municipalities, municipal associations and others with an interest in municipal government.

During the committee hearings, we heard about parts of the bill that could be made clearer, minor house-keeping changes that would improve the legislation. The bill before us for third riding today incorporates a number of those sorts of amendments.

There is one substantive amendment, though, that I'd like to mention. The bill now includes a requirement for a complete review to begin before the end of 2007 and every five years after that. The suggestion was made by the Association of Municipalities of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario, the city of Toronto, the Ontario Chamber of Commerce and the Toronto Board of Trade. This amendment should keep the Municipal Act current. It should mean that 150 years from now another Minister of Municipal Affairs and Housing won't face the daunting challenge of fixing a Municipal Act that's 150 years out of date.

Bill 111 would also formally recognize the importance of consultation between the province and municipalities on matters that directly affect them. Discussions are already underway with the Association of Municipalities of Ontario on a memorandum of understanding to formalize the consultation process. The minister expects to sign that memorandum of understanding very shortly.

This new Municipal Act, if it is approved by the Legislature, would become the cornerstone for our new, mature and more productive relationship between Ontario's municipalities and the provincial government. This legislation, as I mentioned, is long overdue. It has the support of those who will be most affected by it, and I encourage my colleagues to pass it today.

The Deputy Speaker (Mr David Christopherson): The floor is open for further debate. We'll pass by the official opposition. Are you standing or sitting, member?

Mr Gilles Bisson (Timmins-James Bay): Sitting.

The Deputy Speaker: Then I recognize the member for Oak Ridges.

Mr Frank Klees (Oak Ridges): I'm pleased to join the debate on Bill 111, the proposed Municipal Act, 2001.

In 1995, the government made a commitment to bring forward a new Municipal Act. At that time, we promised an act that would be modern, streamlined and easy to use. It would be readily understood. We wanted to introduce an act that sets out areas of responsibility for municipalities but does not specifically tell them in great detail exactly what they are permitted to do and how to do it.

I recall many years ago listening to municipal politicians talk about the fact that they feel they are such a creature of the province that they are unable to do many things that they feel are appropriate and make good common sense, but an outdated Municipal Act prevents them

from acting judiciously to follow through on some of those initiatives. It has been a very long time in coming. I know that appeals were made to successive governments in this place to deal with this issue, and for one reason or another it has never been done. We have understood over the last number of years, since our government took on this challenge, why perhaps other governments withdrew from that responsibility, because it is in many ways overwhelming. It is a substantive piece of legislation. There are many protocols that have been in place for many years. To now move into that and begin to refine and to modernize that piece of legislation is not an easy task.

I want to commend the Ministers of Municipal Affairs and Housing of our government and of course the current minister, the Honourable Chris Hodgson, and his astute parliamentary assistant, Mr Kells, who in his own right has brought a great deal of wisdom to the drafting of this legislation and gave a great deal of guidance to our caucus as we moved this bill forward.

We wanted to make sure we would also maintain a balance that has been established over the years among competing interests, that balance that gives authority to municipalities to meet local needs, while ensuring on the other hand a dynamic, barrier-free Ontario economy in which Ontario towns and cities can maintain their competitive position. What we didn't want to do was overstep that balance and somehow create an unhealthy competition between municipalities. So we feel, in this legislation we're bringing forward today, that we have been able to find that balance.

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This balance was achieved, I would point out, after several years of discussions with all affected stakeholders across the province. The government released draft legislation, in fact, in 1998 that generated a great deal of debate and discussion. Since then, the government has worked with key stakeholders, including both municipal and business groups, to find common ground and to achieve a consensus, which at some points it seemed perhaps we would never achieve. But to the credit of all the stakeholders, all the parties involved, we have been able to bring to the floor of this Legislature a piece of legislation that has in large part achieved that consensus.

Earlier this year an understanding was reached among key stakeholders on most of the fundamental issues addressed in this legislation. At the conference of the Association of Municipalities of Ontario in August, the Minister of Municipal Affairs and Housing released an outline of the government's proposed direction, and I might say the reaction at that time, within that conference, by the members of that association was extremely positive. There continued to be issues that were of concern to some, and we continue to listen and hear from them. If this legislation is passed by the Legislature, it would give municipalities the tools they have told us they need to tackle the challenges of governing in the 21st century. Certainly the conditions are very different today from they were at the time the existing act was drafted.

Of utmost importance is the fact that it would give municipalities the authority to organize and deliver their services as they see fit, not as someone else at Queen's Park dictates that they should do. Because we want to recognize through this legislation that circumstances in different areas across the province are different and they have their unique circumstances, we have responded and have given to the municipalities that authority to do business as they believe is most appropriate for their circumstances in their jurisdictions.

In addition to that, we've allowed for an involvement of the private sector, where appropriate. It would give municipalities broad, flexible authority in 10 broad areas of jurisdiction. I just want to enumerate those for the record. These 10 areas are public utilities; waste management; public highways; the transportation systems; culture, parks, recreation and heritage; drainage and flood control, with the exception of storm sewers; parking; economic development services—and this particularly is important, that we allow municipalities to deal with economic development issues as they relate to their particular economic environment; structures not covered by the Building Code Act; and animals. It would also give them natural person powers, and the parliamentary assistant referred to that. Effectively, these are those powers that a person in this province would have to conduct day-to-day business without the need for specific legislative authority. I think that particularly is an important principle as we move forward and as we look for municipalities to assume more and more responsibility.

There is inherent in this legislation a desire on the part of the provincial government that there be initiative at the municipal level, that we as levels of government would begin to work together co-operatively, as opposed to suggesting that a problem that one level of government is having is because one other level of government isn't allowing them the jurisdiction to deal with their problems. At the end of the day, what we want, what our objective is, is that we would work co-operatively together, that each level of government would assume responsibility.

Equally as important as responsibility is accountability. This act would bring into the picture a strong system of accountability of the municipal level of government, yes, to the provincial Legislature, but also to the people in that community. At the end of the day, we believe that is critically important.

There are a number of areas I would like to comment on, but I see the time is running down. I know my friend from Kitchener would like to have his opportunity to debate this bill as well, and I'm sure he'll cover some of those off.

I want to again commend the leadership of our ministers of municipal affairs over the last number of years who have shepherded this legislation through its various stages, and I look forward to all members of this House giving quick approval to this bill.

The Deputy Speaker: The floor is open for further debate.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): My apologies to the House for perhaps missing an earlier cue.

I'm pleased to stand and join in the debate on Bill 111. We on this side of the House—certainly my Liberal colleagues—believe and know that Ontario municipalities are the primary engines of this province's social, economic and cultural life. We believe that it takes a real partnership to build the kind of strong, healthy and prosperous communities that we all, on a good day, would claim to want.

We on this side of the House understand the importance of a progressive, contemporary new Municipal Act, one that meets the 5R requirements of municipalities: the requirement of respect; the requirement of recognition; the requirement that real revenue tools, not just the hammers and screwdrivers that they've become so used to, be made available; that a real partnership be put in place; and, finally, that the Municipal Act be relatively regulatory-free.

While this government is wont to talk about its vaunted memorandum of understanding, we on this side of the House understand all too clearly that the most important memorandum of understanding is in fact the Municipal Act itself. It's the Municipal Act, after all, that defines specifically what municipalities can and cannot do and how they should go about their business.

It would be unfair not to give some credit to the minister and the government opposite.

Mr James J. Bradley (St Catharines): I don't know about that.

Mr McMeekin: Well, I'll be careful, Jim.

Over the last century and a bit, we've had some 300-plus amendments to the Municipal Act. It's not as if, as the government would tend to characterize, we're back into the pony, pail and water scenario. In fact, the act, notwithstanding its complexity, worked relatively well for a great number of years.

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There was always the academic argument—you and I, Mr Speaker, have talked about this from time to time—"Gosh, golly, gee, isn't it awful that municipalities don't have a clearly set out, contemporary, constitutional framework?" But after the party or after the discussion, it always seemed that municipal leaders went about doing what they do best: getting on with building strong, healthy, prosperous communities. It has only been of late, in the last six years or so to be precise, that municipalities have begun, almost as if in chorus, to speak out about the need for a new Municipal Act. I suspect if the government were completely upfront with respect to that, they would have to acknowledge that that's by and large because of the cumulative sense of abandonment that municipalities have experienced.

I have a 10-year background in municipal elected office, as do some 20-odd of my colleagues here. We've certainly had a great deal of time to look at this—

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Is there a quorum, sir?

The Deputy Speaker: Would the clerk check for a quorum, please.

Clerk Assistant (Ms Deborah Deller): Quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant: Quorum is now present, Speaker.

The Deputy Speaker: The member for ADFA may continue.

Mr McMeekin: Thank you, Mr Speaker. I'm pleased that the quorum is now present, because what I have to say is so darned important.

The government members opposite talk about their desire in this new act to balance competing interests. I think they've done that very well. In fact, I think they've done it so well that very little has changed or will change as a result of this new act.

I find that passing strange, because when my good friend the Minister of Municipal Affairs got up in this House to introduce the legislation he said, and some of us on this side of the House took him at his word, that he was anxious to have the debate on this bill in the House and to get it to committee so that we in our cumulative wisdom would have the opportunity to bring all of our experience and expertise to the table and make it a better act. You may recall those reference words.

I can recall that when the bill was introduced we outlined for our part on this side of the House the template, the plumb line, if you like, by and through which we would measure whether this act made sense. We wondered at the time whether it would go any distance toward ending the war of attrition with municipalities. We wondered whether it would bring about real change, whether it would produce some real revenue tools. We wondered whether there would be adequate time for full discussion and debate. Well, we didn't have to wait long for that question to be answered. We hoped there would be an enhanced ability for municipalities, given the new act, and upon reflection, to build the stronger, healthier, more prosperous communities they claimed they wanted to build. Finally, we were curious and anxious to know whether there would be any real power shift between the province and the municipalities, but as the government members have already said, they were very concerned about making sure there was a balance of competing interests and that not too much changed. I think it would be fair to say that they have been quite successful in that.

So in the context of the five plumb lines that we had offered up as measuring sticks for this, we on this side of the House are quite disappointed with what is happening now. You know, look, to his credit, the complex series of regulations and what have you needed to be cleaned up. But we would have preferred to see some sweeping changes, not just a sweeping out of the garage. I know in our home when the garage is swept, about all you get afterwards is, "Oh, that looks nice," and that's about it. I think on balance we can say you cleaned up the language and you've done a little bit of work there, and we appreciate that, municipalities appreciate that, but funda-

mentally it hasn't changed very much. It certainly doesn't keep pace with the kinds of changes that we've seen, predicated in large part with the frequent admonition of this government as it moves forward with amalgamations, more often than not forced amalgamations, and certainly the offloading of provincial fiscal responsibilities, something that the Provincial Auditor noted, as you'll recall, was entirely non-revenue-neutral.

I know in the community that we represent the imbalance of the revenue neutrality is exceeding \$100 million cumulative. It's pretty tough for municipalities to survive in that kind of a situation. But it's entirely predictable that a government, particularly one wanting to make itself look good immediately prior to a general provincial election, would move to have somebody else pick up all its mortgage payments; kind of like a no-fault insurance clause. But be that as it may, we'll get to that.

We would have preferred to have seen the distrust level that has been so high with municipalities replaced with a real partnership. The act is to come into play, I believe, January 1, 2003. There's absolutely no reason why the incredible emphasis on the regulations that are going to need to be developed in this memorandum of understanding, which is so affectionately referenced by the members opposite, couldn't have been done and put in place properly. I know there's a lot of fear out there among my previous municipal colleagues with respect to that. One of the members opposite made reference to wanting to see some true changes. I come from an old school that believes that the truth really sets us free. Sadly, this bill and what it purports to do, falls far short. In fact, it's a sad shell of what municipalities had been expecting.

There's some reference to AMO, the Association of Municipalities of Ontario, and their broad-based support for the bill, but I can tell you, I have a list of 50 items in my office that AMO wanted to see included in the bill that weren't included. During the very shortened committee hearings on it, I offered at one point to go and get that list because, given that so few municipalities had a chance to respond at the committee hearings—in fact some, I think, are just learning now that committee hearings had occurred—it would have been useful to revisit some of those. We were profoundly disappointed that we weren't able to do that. Frankly, we needed a government prepared to breathe some life into their frequent rhetoric about trust and respect and partnership.

We worked with the stakeholders, albeit with our hands somewhat tied here, because we had some real difficulties, given the lack of time that was available to people to get their stuff together. So we worked with our municipal colleagues who had some thoughts on this bill, and despite the inherent process difficulties, we were able to develop a whole series of amendments.

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I just want to footnote for those who may be tuned in to this debate that the government opposite talks about this process of consultation that they went through and claimed to have some 358 consultations between the last

proposed act and what we see before us. Those who are tuned in to this debate need to know that notwithstanding our request to have access to those, we have to date not seen those. So there's very little way of knowing whether the things that were being said to the government were listened to at all. In fact, we're hearing on an almost daily basis now that much of what was proposed by the so-called stakeholders was, like so much else, swept aside. That's really unfortunate. We can only conclude on this side of the House that the reason for that was that the government really didn't listen to the proposals that were being made, that they were more anxious to rush into the debate and to control the amount of time available, even using closure, time-limited debate, as you'll recall, Mr Speaker, to curb this discussion about the act, which the minister claimed he wanted to see improvements to, whom we took at his word.

So there were lots of amendments put to the legislation, and I want to tell those who may be tuned in tonight, I think there were over 100 amendments. It is passing strange that every single amendment that was placed by the government, every single one, passed, many without any debate at all. Some might say, "What about the amendments from the official opposition and the third party? There were surely some of those?" There were. Not one amendment put by—

Mr Bradley: I wouldn't vote for the bill then.

Mr McMeekin: Not one. That's a good reason. I think the member for St Catharines makes a good point, particularly after the minister said he was so anxious to see improvements, wouldn't you think? But not one of those amendments in the slightly less than three hours for clause-by-clause debate was embraced by this government.

Let me just highlight in the five minutes and 47 seconds I have left to speak on this specifically some of the shortcomings tied to some of the amendments that we put that were set aside and laughed about and defeated by this government.

Interjection.

Mr McMeekin: Yes, I'll make sure my colleague has his 10 minutes; I'll go down to 10.

There was no reference at all to a community charter or to charter communities, which is something that's been a big discussion issue in major municipalities like Toronto, Ottawa, Hamilton and elsewhere. Both parties on this side of the House put a motion that if there were to be substantive changes to the funding responsibilities between the province and municipalities, there ought to be a minimum amount of notice set for that. That motion was defeated. Just imagine: to have an opportunity to sit down for six months, which was one resolution, or 12 months, which was ours, prior to that offloading of responsibilities, as a courtesy, predicated on trust and respect in this new relationship. That was defeated.

When we talked about enhanced funding for municipalities and the passing on of some revenue tools, it was defeated. I don't think the viewers will believe this. When both parties on this side of the House moved a

motion to require that no amalgamation of any municipality in this province take place without their consent, with consent being pretty broadly defined, do you know what the majority of the government members of the committee did? They said, "No, we're going to defeat that."

As the former mayor of the town of Flamborough, the only municipality in all of Ontario that actually lowered taxes six years in a row and went to our just reward of being amalgamated with the new city of Hamilton, I'm reminded, particularly given all the reference to memoranda of understanding, of what Al Leach, the former minister, said in late 1998. He said, "We've been very consistent in saying we want a local decision. We will not come in as a government and force a decision on Hamilton-Wentworth." Then Paul Rhodes, the spokesperson for Premier Harris in the last general election, said, "There will be no imposed solution. That is our party's definitive position."

Mr Klees: It was.

Mr McMeekin: Well, it was until you got elected. That flip-flop makes Flipper look like a goldfish, I've got to tell you. So we had a legacy of promises made, promises spoken, promises broken.

We suggested by way of amendment that the review of this new act ought to take place in 2004: three years to experience it. But no, that was defeated.

We talked about a legislated 12-month consultation period: defeated.

We talked about municipalities having the right to set their own ward boundaries within their municipality. What could be closer to the people than that? Guess what, David?

Mr Dave Levac (Brant): I think they said no.

Mr McMeekin: It was defeated. It was. I couldn't believe it.

We wanted to add—and ironically, these areas were in the original draft, which mysteriously was dropped out. We can't yet find any of the consultation papers to find out exactly why. We wanted to add specific reference to municipalities having responsibility for affordable housing, for health, safety, protection of the well-being of people and the protection of property. This government laughingly defeated that.

We talked about expanding protection for the natural environment: defeated.

We talked about enhancing some of the requirements around nuisance, including noise and odour and vibration and illumination, and this government, obviously not very illuminated, defeated that.

We looked at concerns of the city of Burlington and Her Worship from the town of Caledon about granting certain controls to municipalities around pesticide control. That too was defeated, as was our reference to economic development not being confused between the two tiers of government and the need, from our perspective, to protect heritage properties by granting additional powers to municipalities. All of those were defeated—defeated by a government that talks about trust

and respect and partnership and accountability. They denied members of this side of the House access to the information so that we could check out their own claims. They asked municipalities to take a leap of faith, and I need to tell you that municipalities, based on this experience with this government, hold little sacred, and they've been given nothing new to believe in.

The Deputy Speaker: The floor is open for further debate. Somebody stand up and debate.

The Chair recognizes the member for Beaches-East York.

Mr Michael Prue (Beaches-East York): Thank you very much, Mr Speaker.

About nine or 10 weeks ago, I came to this House as a rookie MPP. I guess I'm still the rookie.

Mr Klees: You're a veteran now.

Mr Prue: I'm a veteran. It has taken 10 weeks.

But I came here as a person who had been involved in municipal politics for some 13 years: 13 long years as a councillor in the former borough of East York, as the mayor of the borough of East York and as a councillor for nearly four years in the megacity of Toronto. Now here I am. And in all those 13 years—

Mr Klees: You knew when to get out.

Mr Prue: Well, you know when to get out, when those guys have been downloaded on to the extent they have that they are going to be suffering. Even your own auditor has told you that you downloaded too much on them.

Mr Klees: Now you want to come here.

Mr Prue: I'm here, and I'm here to fight for the people in the municipalities, because as a mayor, as a councillor, as a megacity councillor, we talked very often about the constraints on municipalities and how municipalities weren't getting a good deal. It wasn't just this government; it was all governments.

When I started out in municipal politics, there was a Liberal government, and we didn't have a Municipal Act that did anything for the municipalities. It was at that time about 140 years old. Then we went to an NDP government and we didn't get a new Municipal Act. Then we got a Conservative government, and it took five years, but we finally got one. Somebody finally did something. I commend whoever was involved for taking 149 years to think this out, but I also tell those same people who took 149 years that they could have done a whole lot better job. One can be thankful for having done something, but one can also be angry because what needed to be done after 149 years wasn't done.

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The municipalities have longed for the day when they can come into the light. They have longed for the day when they can be recognized as a mature level of government within the Canadian polity. They have longed for that day when people will recognize and know that the municipal government carries on a great many of the local and daily needs of the populace. In fact, if you want something done, if something is troubling you in your

municipality, township, borough, city, town or village, it is more than likely it is going to be a municipal issue.

The municipalities have had, and continue to have, great dreams. They look around the world and see other municipalities that seem to be doing so much better than the municipalities of Ontario. They look to the United States. They look to places people wouldn't go 10 or 15 years ago. They look at Cleveland, at New York and at Indianapolis. They look at places in the United States where people wouldn't go 10 years ago because of the degradation, the crime, the poverty and what was happening in those cities. They look today, as federal and state dollars flow into those cities, and they see a rebirth. They do not see it here.

They look to Europe and they see the great cities of Europe where the governments of those countries are putting in hundreds of millions of dollars, or pounds or guilders or whatever they use, to make those cities absolutely phenomenal. They look to places in South America and to places in Africa. They look where the cities are building. They do not see the same commitment here. Even within Canada, they look at the rebirth of Montreal and they look at Quebec City. They look at all the cities across this country from Vancouver to St John's, which has its own charter, and to St John, New Brunswick, which also has a charter, and they do not see the same things happening in Ontario.

They waited a long time for this bill. They waited a long time for people on that side of the House and on this side of the House to say that the bill was coming and there were going to be fundamental changes in the cities and the major towns of this province.

Most people live in urban areas today. The days when the people of Ontario lived in rural areas or the far north, when there was a balance between those people and those who lived in the city are long since past. Most people today live in an urban environment and understand the city and the town in which they live. They do not understand and fail to recognize a government that will not let them come to the same kind of maturity that is happening all over the world.

Having said that, I still commend—I commended it in a speech some seven weeks ago—the government for bringing forward a bill after 149 years. I still commend the government for reducing that former bill from 1,100 pages, which no one, not even the best lawyers and the best minds in this country, could possibly understand, down to 365 pages. I still commend the government for taking that antiquated bill and using some modern language so that when you read it, most of it—not all of it—makes sense to a common layperson. I still commend the government for clarifying the jurisdiction municipalities will have, setting out that little section where there are 10 jurisdictions where the cities, the towns and the villages will have jurisdiction over items that are solely in their control.

Those are three good things about the bill. I'm not going to stand here and say there are not good things.

The bill did not include, and maybe should not have included, things that city mayors, city politicians across Ontario are looking for. They are looking for charter status. They are looking that the cities be recognized within the Constitution and have the same rights to be recognized as a provincial government, as a territorial government, as a federal government. They believe the time has come in the evolution of municipalities that they should have that same charter status. I do not disagree with them, but it is not in this bill. Maybe it will come one day, but it is not in this bill.

They are looking for funding. All of the cities have found that it is increasingly difficult for them to raise funds simply from the municipal tax base. It is a very closed tax base. It is hard to gain additional funds. There are no opportunities when gas prices go up or sales go up for the provincial sales tax or the GST or anything else. They do not have any other source, save and except what is granted to them by the province, what they can get from user fees, or, most importantly, what they get from direct taxation of property.

They are looking at the entire problem of downloading. In some municipalities it has been a huge problem; in some, not so bad. The one that I think has had the worst problem is the city of Toronto. The Provincial Auditor has said that some \$140 million is being siphoned out of that city directly into the provincial coffers.

I listened today to one of the speakers from the government side talk about the federal government downloading to the province. There can be no doubt that that happened, absolutely no doubt. The federal government has downloaded to the province and has not provided sufficient money to do a whole, broad range of things, including, and most importantly, health care.

But there can be no doubt as well, for anybody who is halfway honest, that the same scenario has worked its way from the provincial government to the largest of the Ontario municipalities. They are suffering hugely from downloading. They are suffering from downloading of transportation, from downloading of housing, from downloading of education costs, from downloading of just about every government program you can think of, in the case of Toronto especially. As I said, the auditor said it was some \$140 million a year which the taxpayers of Toronto must now pick up and run with. That's about \$55 a head.

There's nothing in the bill that talks about amalgamation or what might happen in amalgamation in the future. I would tell you that a great many municipalities continue to be worried about that prospect, because they have seen the failure of amalgamation right across this entire province. They have seen a place like the city of Toronto, whose costs have risen. They have seen a place like the city of Toronto, which most importantly has lost almost all of its public sector involvement. Where before there were hundreds or thousands of volunteers who came out to help, they are now dwindling to almost none.

In my own former borough of East York, we had over 300 volunteers whom we would fête once a year for having been involved in everything from parks and recreation to the local boards—the board of health, the parks and recreation boards, just about everything. They belonged to every little facet, including the safety council. There were 300 people who were plugged in in a municipality of 100,000 people. I've gone around to ask. You know how many are left after amalgamation? There are two people left who are still involved in the municipal structure.

The failure was not whether it made more money or made less money; the failure was that people used to be involved and no longer are. People throughout the province, even though there are 460-some municipalities left, still worry about that amalgamation.

The biggest failure, and the reason I'm standing here tonight speaking so passionately, I hope, about this is that the good thing that was supposed to have been included in this bill was a memorandum of understanding. The memorandum of understanding was to have been written to allow the municipalities to at last be recognized by the provincial government as being a legitimate level of government that had a jurisdiction. They were to have signed that memorandum of understanding. They were to have committed themselves to participating as much as the law would allow them to do. That memorandum of understanding has not been signed. It is not a part of this process.

I have said from the beginning that without a memorandum of understanding having been signed, the bill itself is not very useful, because the bill continues to allow the Minister of Municipal Affairs and Housing to just run roughshod over any of the municipal interests. It allows him or her to change any single decision that they make and it allows the municipalities to continue to be the weak sisters in this whole relationship.

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It has not been signed, and I would think that for it to be signed after the fact will further weaken their responsibilities and further weaken what they are able to do. After the bill is signed, whatever is put in front of them will be all they are going to get. They have no leverage left, and the government has not seen fit to negotiate and to finalize a deal before today's date. It was essential that it be signed before today and it was not. It was essential because: (1) it would recognize them as a legitimate level of government; (2) it would commit for all times the partnership that the province sees with the 460-some municipalities; and (3) it would show the seriousness of the commitment, that the government was firmly committed to making sure that this process and this bill worked.

It was not signed. There has been absolutely, as far as I can understand, no movement. I have not heard from Ann Mulvale, I have not heard from any of the organizations that represent towns or cities, and quite frankly, if it is passed into law tonight, there is nothing that they

will be able to do other than sign whatever agreement is put in front of them.

In one of my first speeches in this House, I promised support if there was some substantive consultation and change. I meant that with all my heart, because I believed at the beginning that this was a good bill, that with consultation and change, with the municipalities coming on board, with both sides of the House and the goodwill of all people, there could be some changes made that everyone could accept that this was major step forward. Unfortunately, I guess because I am a rookie and because I still believe, I thought that there might be a chance that there would be consultation, that people would be brought in from everywhere and could talk about the changes they wanted. I thought there would be a chance that the government would hear everything out. I thought there was a chance that we would be listened to when we came up with good ideas. None of those things, unfortunately, happened, and I guess my naïveté was shattered within a few weeks of arriving in this place.

The first thing that happened was closure was invoked and we had to go immediately to committee. The committee was to have gone to four places—only four places in the entire province—within about a week.

Mr Bisson: How many municipalities are there?

Mr Prue: There are 460 municipalities, but we were going to go to four locations. We were going to go to Windsor, we were going to go to Ottawa, we were going to go to Hamilton and we were going to go to Toronto. That's four municipalities out of 460, but I guess they are kind of located in southern Ontario and maybe 300 of the municipalities could have got somewhere close to them. But they were given only a few days to come up with the ideas they wanted.

Because it was not advertised at all, the first meeting, which was to have taken place in Windsor, did not materialize. Then the second meeting, which was in Hamilton, was very poorly attended, because people hadn't even heard about it. The mayor of Hamilton—and it was right in his own city—wasn't even aware it was taking place and a bureaucrat showed up. He wasn't even aware that there was a meeting going on. We were supposed to go to Ottawa. It was cancelled because they had not been given sufficient notice. Then in Toronto there were some eight or 10 speakers who came forward to talk about the act. There was nothing in the north. There was nothing north of Ottawa. There was no opportunity for them to speak, to be consulted or to participate. It was a very sad day for democracy.

It was also a very sad day when all the deputants who did show up came and talked about change, about making the Municipal Act better, and nothing happened at all to make it better. Not one amendment that they suggested or the opposition suggested made it beyond the mere statement, nothing.

These municipalities are some really strong municipalities, some really good ones. The previous speaker talked about some of the things that didn't happen. I'd like to go over some of those too, because the ideas that

were discussed by these mature municipalities, because they wanted to make the Municipal Act work better for their own jurisdictions, were not listened to; they were not acted upon. They were just given short shrift; that's all that happened.

Some of the changes they suggested I think would have been good changes. I believe the city of Toronto asked that there be six months' notice given by the government whenever they were going to download a program in order that they could make sure they had enough tax money and the wherewithal and expertise in their bureaucracy so they would be able to get prepared and carry out the new program.

Mr Bisson: The government accepted it?

Mr Prue: No, that idea went nowhere.

Mr Bisson: Nothing?

Mr Prue: Nothing. The next one was that the city of Toronto requested it be given the same opportunity as every one of the other 460 municipalities in Ontario to choose their own wards; that is, they would be able to choose the number of wards and the configuration of the wards. The city of Toronto was told—

Mr Rosario Marchese (Trinity-Spadina): Toronto gets nothing.

Mr Prue: —that they could have nothing, that they were unique. Can you imagine being told you're unique? It's OK to be unique when you're given the best, but when you're unique and given the worst, that's a really different scenario.

There were 10 items of jurisdiction that were suggested, and I commend the government for coming forward with those, but the city of Mississauga suggested that that wasn't good enough, that there were three or possibly five others that should have been included.

Mr Bisson: What did Hazel want?

Mr Prue: What Hazel and other people wanted were really intelligent, good things. They wanted affordable housing to be part of what the municipalities—and why not affordable housing? Affordable housing has been downloaded on all the municipalities. They have to pay for it, they have to run it, but it's not within their sphere of jurisdiction. That doesn't make any sense.

They wanted health and safety to be included. They have responsibility for all the boards of health in all the municipalities and regional governments. It's not in there. They wanted control over the environment, because of the bill and the legislation and the court case for Hudson, Quebec, about spraying. They wanted something in there so that they had control over the environment within their regions or their municipalities. Nothing happened. They wanted an opportunity to talk about noise and nuisance and things their bylaws control. Nothing happened.

The one that got me the most was that they wanted an opportunity to say they were responsible for planning, which is mostly what they do, and that's not there. That's not in the bill as well.

Mr Marchese: What's in the bill?

Mr Prue: Nothing's in the bill.

Mr Bisson: So why are we voting for this?

Mr Prue: I don't know whether we are yet. I don't think so.

Then we get to some of the other things that were brought up: demolition of affordable housing. The question was brought up, "Why can't we have something in there for demolition of affordable housing?" The government said, "We're going to deal with that in the Toronto case," and in fact, some time this week they did that. At least in committee they've said there will be a bill to stop the demolition of affordable housing, in Toronto only. But the problem pervades this entire province.

Mr Marchese: Toronto's unique.

Mr Prue: Yes, Toronto is unique, I guess, but they have the same problem in Hamilton, Windsor, St Catharines and Ottawa. The vacancy rates in all those places are 0.1% to 0.9%. They have the same problem with the demolition of affordable housing.

They asked for the opportunity to protect their heritage and that was denied. Any building in Ontario can be torn down in six months. Municipalities want to try to save those buildings, but they can't.

They wanted an opportunity, in the case of Brantford, to own public shares in their own public utilities commission. They can't have that. They cannot own shares in their own public utilities commission that is run within their own city. The government denied that.

They asked for an opportunity to be responsible for toll highways. There were people who came from the Canadian Automobile Association who made a very good suggestion. The government told me they totally agreed with their suggestion, but they wouldn't agree to it because it had been proposed by them and by us, I guess. They were going to wait for another day. What they wanted were toll highways where you couldn't charge a toll on a highway unless (a) it was a new highway, which makes sense; (b) it was a highway reconstructed at great expense, and I can point out the example possibly of the Gardiner if they ever decide to bury it as it will have to be paid for somehow; (c) if the highway had been downloaded from the provincial government to the municipality and the municipality had to pay for it. Obviously, that wasn't going to wash, so now there are going to be toll highways. There was nothing in there to protect the motorists.

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The city of Toronto wanted to do front-yard parking. There are 40,000 front-yard parking pads in this city all around this Legislature building. They were denied an opportunity to have that included. Halton Hills and Caledon Hills wanted an opportunity to protect their woodlands, which are in the Oak Ridges moraine, and that was denied. I cannot believe that was denied. All they asked was that every woodland beyond 0.5 hectares would be protected, and that was denied too. St Catharines came and asked about licensing rooming houses to stop the problems, especially in university towns, with eight, 10 and 15 people living in rooming houses without licensing. That was denied. They talked

about licensing transient traders in places like the city of Toronto, which now can't be done. So that means there'll be hot dog carts on every corner. There's no opportunity to license them within the act. I don't know how it's going to happen, but I'm sure the restaurateurs and the people in this city of Toronto—

Mr Garfield Dunlop (Simcoe North): Put that in Hansard.

Mr Prue: Yes, put it right in Hansard—are going to be very happy when the court cases say that it's not there.

There was a problem of the elected PUCs. There are still some municipalities, of the 460 or so in this province, that elect their public utilities commissioners. They will no longer be able to do so. There are now going to be appointed commissioners, and the democracy that is still left in a few of these municipalities will be gone forever. Their efforts to save their elected PUCs have gone for naught.

There is the problem of municipal politicians everywhere. I'm probably going to get a whole bunch of catcalls on this one, but municipal politicians by and large get a salary, one third of which is tax-free. The entire problem with this bill is that they have to register that they want to keep the one third tax-free, of course with the publicity that then ensues. The alternative is that they can raise their pay, the same way this provincial Legislature did, in order to cover for that, and then have the newspapers write that they've all given themselves a huge increase, which isn't true as well. Instead of just legislating it, you've made it almost impossible for municipal politicians across those 460 municipalities.

There is the problem of the tax increase over and above all classes. There are certain municipalities, of which Toronto is the best example, which this Legislature has said cannot charge tax increases on anyone except the residential tax base. That is the homeowners. If you want to raise taxes, you cannot raise them on multi-residential, you cannot raise them on commercial, you cannot raise them on industrial; you can only raise them on the residential tax base.

There is an argument to be made, and I will acknowledge there is an argument, that some of the tax levels for multi-residential and industrial and commercial are too high in the city of Toronto. But surely that decision should be made by the municipal politicians themselves and not by the Legislature saying that the tax increase can only come from one class in one city and that no one else is affected. That is a very unfair burden to put on that city.

We heard from the cities of Toronto and Mississauga, from Halton, Brampton, Vaughan, Bradford, Hamilton and Caledon, and all of their suggestions were for naught. Anyone must know that the cities in this province are the future of this province. As the cities go, so will the province go. As the cities go, so will our people go. As the cities go, so will our prosperity go. Unless the government is willing to take the extra step, unless the government is willing to give them the kind of authority and power they need, then the cities will forever be poor

second cousins. This bill, which held great promise only five or six weeks ago, is now a bill that is going to do not much more than lower the number of reading pages from 1,100 to 365. It is going to leave the cities exactly where they were before, the poor second cousins with no authority.

The Deputy Speaker: Further debate? The Chair recognizes the member for Essex.

Mr Bruce Crozier (Essex): Thank you, Speaker. I'm absolutely amazed that the backbench government members don't want to get up and extol the greatness of this bill. Not only do we get stifled by closure motions, but when the government has an opportunity to speak, they just simply pass it by. I find that strange.

What I also find strange is that we're in the third reading of this debate on Bill 111. It was introduced about seven weeks ago and then, after second reading on November 7, it simply sat idly for a month. But suddenly the pressure's on. Suddenly, along with another 20 bills, some of which were introduced last June, the pressure's on and we've got to get them passed. That's probably why the government members don't want to stand up and speak on this bill tonight, but I hope I've encouraged them in the next round to use the few minutes they had left.

I think those of my colleagues who have spoken before me will have said that we oppose this Bill 111 because, notwithstanding that it's a first step, a small step, we think there are some major steps that should be made. You know, the problem with a small first step is that there's always concern that there will never be a second step. I'm afraid that some of those who are supporting this bill are anticipating that there will be this great second step somewhere down the road.

Some of the measures in the bill—

Hon Norman W. Sterling (Minister of Consumer and Business Services): It took 114 years to take a small step.

Mr Crozier: Well, not all of us were around here 114 years ago like the Minister of Consumer and Business Relations, and I hope he's around for another 114.

Hon Mr Sterling: If you can't take a giant step, take a baby step.

Mr Crozier: There we go.

The bill is only a minor first step, as I've said, in reversing some of the Conservative government's dismal record of mistreating Ontario's municipalities. Massive downloading responsibilities in the last few years, cuts—cut first, consult later—and forced restructurings and amalgamation are some of the things that have happened in the past under the previous bill.

We in the Ontario Liberal Party believe that a new relationship should be built between the province and the municipalities. I speak only of one example, and that is that the government of the day talks about trust, they say they trust the municipalities, and yet a small example is that they don't even trust the municipalities to be able to put the wording on their own assessment bills. The Minister of Municipal Affairs has to approve that. Well,

to me that's not trust. I look back at my municipal days, when I was on municipal council. I think we had a responsible municipal council; I think we had a municipal council that spoke for the citizens of the municipality. I think we had an administrative team that spoke for the needs of the municipality. I can't think of an instance when they wouldn't have presented any case to the citizens of the town of my municipality except in open and transparent honesty. We hear of openness and transparency and trust, and yet here's an example where this government won't even trust a municipality to put the simple wording on an assessment notice.

There are some positive elements of this bill, as there are in most, or many, bills that are presented before this Legislature. Included in this bill are the bases of three Liberal members' bills that were presented initially as private members' bills. Sandra Pupatello's rave bill, 2000, proposed that municipalities be required to issue a permit before a rave occurred. Bill 111 gives municipalities the ability to license and to regulate raves. Michael Bryant and Dave Levac's Bill 104 allowed municipalities the ability to restrict and regulate the use of fortifications on buildings. Bill 111 grants these powers to the municipalities. Rick Bartolucci's Bill 24 allows for the licensing and regulating of adult entertainment parlours by municipalities. Bill 111 gives municipalities expanded powers to license and regulate body-rub and adult entertainment parlours.

2000

There are some misleading elements of the bill. I know that's a harsh word, but I think it's appropriate in this case because there was the promised memorandum of understanding that commits the province to consult with municipalities before making policy changes. This was not included in Bill 111. The government has committed to discussing this only after the bill has passed. Well, we'll see how that goes, but we know the record of this government when it comes to carrying out its promises after the fact. At a minimum, this memorandum of understanding should be enshrined in the legislation. An even better alternative is to follow the lead of other provinces, such as British Columbia, and implement a community charter officially recognizing municipalities as a separate order of government.

This morning I had the privilege of meeting with some representatives of the government of Ethiopia, and they were very interested in the relationship between our levels of government—federal, provincial and municipal. I had to admit to them that federally and provincially the responsibilities of those levels of government are enshrined in the Constitution but that municipalities, as we all know, are simply creatures of the province and unfortunately sometimes they're simply treated as creatures and not treated as whole partners.

MPPs, members of the provincial Legislature, will not be allowed to review and debate many of the key elements of Bill 111 because they will be set by regulation. As we all know, the devil is in the details, and if too much of this is left to regulation it won't even be

brought before this Legislature; it will be a stroke of the pen by the minister, and the municipalities will have to abide by it.

The rules limiting the establishment and the amount of municipal user fees: this power, for example, has been given to municipalities. This, from a government that has established hundreds of new user fees. The only difference is in semantics. This government doesn't like to call user fees taxes, but my colleague from Scarborough stood today and outlined how there are going to be outrageous increases on the rates on Highway 407. Now, if that isn't a tax for using the 407, I don't know what is, and particularly when it would appear that this government had said, on privatizing the 407, that the rate increases would be limited. Now we can see that there's absolutely no limit to the increases on the 407.

There were many amendments proposed to this bill, not only by the opposition, but by groups that came before it. For example, the Association of Municipal Managers, Clerks and Treasurers of Ontario proposed a number of amendments, and they wouldn't even listen to those experts. They are the experts in the municipal area. They are the ones who advise our councils. This government chose not to listen even to them. It's a pity that the word "trust" really doesn't mean what this government says it is.

Mr Wayne Wettlaufer (Kitchener Centre): Once again, we've heard the members of the opposition talk about consultation and co-operation and competing interests. I remember when I was in business and how I felt that the municipality wasn't responding to my concerns as a businessman.

Interjection.

Mr Wettlaufer: The member from Timmins-James Bay isn't interested in what anybody else has to say, other than himself, so he's rambling on and cackling and chirping.

Anyway, what I was really concerned about is the fact that as a businessman running my own business—it was a small business—I remember being very concerned about the fact that the municipalities were increasing taxes and not receiving a whole lot of input into the process from small business people. That was the accountability issue.

The other concern that I take issue with on the part of the Liberals here is about the fact that they said this was introduced only five or six weeks ago. I would like to point out that the process into this piece of legislation began in 1995 when we got elected. The proposed act was developed in consultation with municipal and business stakeholders. The development of the act was a commitment of our government when we got elected in 1995. In the fall of 1995, an advisory group was established, chaired by the parliamentary assistant to the Minister of Municipal Affairs and Housing. This group was comprised of municipal stakeholders.

In March 1997, the province released a discussion paper on a proposed new Municipal Act. Response was generally positive. Stakeholders told us they wanted to

see the entire draft act before it was introduced in the Legislature. So what did we do? We responded to the request by releasing a draft Municipal Act in February 1998.

The consultation process on the 1998 draft Municipal Act involved two phases. First, a three-month public consultation took place. As part of this process, the draft legislation was sent—was sent—to all municipalities, 130 First Nations and more than 70 stakeholder organizations. These organizations included municipal associations and, surprisingly, professional and business groups.

The full draft act was posted on the Ministry of Municipal Affairs and Housing Web site for more public input and greater public access. Five expert panels were organized to review portions of the draft act. Panel membership included CAOs, clerks and treasurers, engineers and solicitors.

These panels discussed technical and implementation issues relating to practices and procedures, waste management, roads, transportation and public utilities. The government received approximately 320 submissions from municipalities and major client associations, such as the Association of Municipalities of Ontario and the Association of Municipal Managers, Clerks and Treasurers of Ontario.

The second phase of the consultation process included meetings with stakeholder groups. Now, I know that's not enough for you. You wouldn't even have talked to all of them, I say to the Liberals through you, Mr Speaker.

Ernie Hardeman, former parliamentary assistant to the Minister of Municipal Affairs and Housing, held 13 meetings with more than 20 stakeholder groups representing the municipal sector and the business community. The meetings with the municipal sector included representatives of the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, the large urban mayors and chairs of Ontario, GTA mayors and regional chairs and the Municipal Finance Officers' Association. That's just to name a few of them.

Business organizations that attended the meetings included the Urban Development Institute, the Metro Board of Trade—

Interjections.

The Deputy Speaker: Take your seat, please. It's getting so loud in here I literally almost cannot hear the member, and he's not that far from me. Let me say, it's not just the opposition benches. Please, let's give the respect due the member and allow him his time.

Sorry for the interruption. Please continue.

Mr Wettlaufer: Thank you, Speaker.

We also included the Canadian Federation of Independent Business, which represents small businesses throughout this province, and across Canada as a matter of fact.

2010

Mr Ernie Parsons (Prince Edward-Hastings): Who cares?

Mr Wettlaufer: "Who cares?" you said, Mr Parsons. Oh, I see. Mr Parsons, the member for Prince Edward-Hastings, says, "Who cares?" Who cares about small business? That's your feeling; that's the Liberals' feeling about small business. Well, this government cares about small businesses and the jobs they provide.

The meetings with the business community also included the coalition of industries concerned with the impact of the new Municipal Act, a very important stakeholder. The coalition included the Ontario Automobile Dealers Association, the Ontario Hotel and Motel Association, the Ontario Accommodation Association, the Canadian Council of Grocery Distributors and the Retail Council of Canada, to name just a few.

Concerns were raised by both municipalities and the business community. Generally the municipal sector believed the proposed act was a little too prescriptive, while the business sector was concerned about the potential for increased user fees and increased regulation on the part of municipal governments.

As a result, the government delayed introducing a new act until we could work on developing a new approach. In March 2000 the former parliamentary assistant to the Minister of Municipal Affairs and Housing, and now Minister of Agriculture, Brian Coburn, met informally with municipal and business sector representatives from across the province. In August 2000 the former minister, Tony Clement, committed to a last round of consultations on a new Municipal Act designed to resolve key outstanding issues. During this round of consultations, the minister and ministry staff met with many municipal and business representatives. When Chris Hodgson became the Minister of Municipal Affairs and Housing, he guided the process through the final stages of consultation and negotiation.

As you can see, the government was committed to developing a consensus, and over time, through extensive consultations by this government, we believe we have found areas of agreement between the municipal and the business communities on key concerns.

Technical working groups were established to study some of the key issues, such as licensing, user fees, corporations and debt and investments. These groups included many municipal and business representatives. These multi-stakeholder groups developed some important principles on these issues, and will continue to work to help develop the regulations required to implement these portions of the proposed new act.

In August of this year, Minister Hodgson announced the legislation would be introduced in the fall session of the Legislature. The minister released the New Directions paper that set out in detail what the new act would contain. On October 18, in this fall sitting, Bill 111 was introduced in the Legislature.

The government believes this proposed legislation creates a workable balance among competing interests. It took some time, but we believe this legislation provides the necessary tools to tackle the challenges of governing in the 21st century. And with the comments we heard

from the municipal and business sectors, the government believes the right balance has been found between municipal flexibility and strong municipal accountability to taxpayers.

I want to speak about accountability just briefly. The proposed new Municipal Act would require municipalities to pass bylaws on their procurement procedures within two years. This, I believe, is very important. How can a municipality be accountable to its taxpayers—those taxpayers include small businesses and large businesses—unless they have a procurement policy plan set out?

As well, the proposed new Municipal Act would require municipalities to pass bylaws with respect to the hiring of employees, including policies on the hiring of relatives of members of council and local boards, and relatives of current municipal employees.

What this does is put a hindrance on unabated nepotism. We all know of municipalities throughout this province where this practice has taken place to the detriment of their own citizens.

Mr Bisson: Like my colleague the member for Beaches-East York, who is the critic for municipal affairs, I came to this bill at second reading hoping we would really have an opportunity to build something that would be useful for municipalities, as far as the powers we should be giving municipalities are concerned, so that they could go there and do the job they had to do.

I'm disappointed yet again—not surprised but disappointed—that the government, by way of this bill, hasn't done a heck of a lot. If you look at the powers they're actually giving municipalities, there's really nothing there that municipalities can get all excited about, but there certainly are some things that I, as a citizen in a municipality, would be somewhat worried about.

The biggest one for me is tolls. The government of Ontario is going to give the ability to municipalities to put tolls anywhere within the municipal boundaries they choose to do so. I, for one, think that's a really bad idea. As my good friend the member for Beaches-East York mentioned, there were amendments we had proposed that were suggested to us that would have at least limited the ability for municipalities to put in tolls, and the government didn't accept that. So I've got to say I'm very disappointed.

Then the government talks about the huge consultation it did, starting in 1997. That consultation was dropping the number of municipalities from 800 to 400 and then amalgamating and downloading everything on to them. I would say that's a pretty bad piece of consultation.

Mr Speaker, with that, I would like to move adjournment of the House.

The Deputy Speaker: Mr Bisson has moved adjournment of the House.

All those in favour, please indicate.

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2017 to 2047.

The Deputy Speaker: All those in favour of the motion will please rise and remain standing until counted by the clerk. Thank you. Please be seated.

Those opposed to the motion will please rise and remain standing until counted by the clerk. Please be seated.

Clerk Assistant: The ayes are 15; the nays are 29.

The Deputy Speaker: I declare the motion lost.

We will now move immediately to the vote on the motion by Mr Kells for third reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities.

All those in favour of the motion, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. It will be a five-minute bell.

The division bells rang from 2049 to 2050.

The Deputy Speaker: I have received the appropriate notice pursuant to section 28 of the standing orders acknowledging a deferral until December 11, 2001, of this vote.

That being the case, I now call for orders of the day.

WASTE DIVERSION ACT, 2001

LOI DE 2001 SUR LE RÉACHEMINEMENT DES DÉCHETS

Resuming the debate adjourned on December 3, 2001, on the motion for second reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste / Projet de loi 90, Loi visant à promouvoir la réduction, la réutilisation et le recyclage des déchets.

The Deputy Speaker (Mr David Christopherson): The resumed debate picks up with the NDP.

Mr Peter Kormos (Niagara Centre): W0e're in the midst of debate around this bill. I was here when our critic, the member for Toronto-Danforth, Ms Churley, made her leadoff. I'm not sure whether Mr Prue has had a chance to speak to Bill 90 yet, but he is certainly going to. I believe I'm the first of the backbench speeches with respect to Bill 90. Mr Martin from Sault Ste Marie is here, eager to speak to it. Mr Prue from Beaches-East York is here, eager to speak to it.

Interjections.

The Deputy Speaker: Order, please. Take a seat. We're going to get some order here so everyone can listen to your speech, because you sat patiently listening to theirs. Please continue.

Mr Kormos: Thank you, sir.

Mr Bisson from Timmins-James Bay is here, eager to speak to the bill. Mr Marchese from Trinity-Spadina is anxious for his opportunity to speak to this bill. Howard Hampton, Shelley Martel and Mr Christopherson will want their turn at the bill as well. Here we are, five of the nine New Democrats, and all of us have very different perspectives on the impact of Bill 90. Here we are from the north, from northern rural and northern industrial,

from the city of Toronto, and myself from the real Ontario down in Niagara—small-town Ontario, small-town industrial Ontario, small-town border town Industrial Ontario—that has been grappling with and has undertaken some pretty sophisticated waste diversion efforts in its own right—the municipalities down in Niagara: the regional municipality of Niagara along with the component cities like Welland, Thorold, Pelham and St Catharines.

We acknowledge and commend the leadership of our environmental critic in her oversight of this bill during committee and here in the Legislature.

One of the things that struck all of us as fundamental, right off the bat, number one, was the failure of the bill—and tell me if I'm wrong, friends—

Mr Gilles Bisson (Timmins-James Bay): No, you're never wrong.

Mr Kormos: —to emphasize reduction. That is the key. Surely that's the key: reduction of, among other things, the huge amount of organic waste going to landfill sites, which, I am told, is one of the significant components that is contributing to an accelerated filling of landfill sites.

One of the things I can say about the folks in Welland, Pelham, Thorold and south St Catharines is about their utilization of composters in their own right. In Welland you can go down to the city yards—call up city hall first, call up the mayor's office—and they'll steer you down to city yards where they will accommodate you with a city of Welland composter. Put it in your backyard or share it with your neighbours if you have to, like I do, and you divert—

Interjections.

The Deputy Speaker: Order.

Mr Kormos: It is noisy in here, isn't it, Speaker?

You divert a whole lot of organic waste from landfill to the composter in your backyard. Composting is not only very cheap—doing it is free—it gives you great dirt after a year or two. I've got to confess that we've had a little bit of trouble with our composter, the one that I share with Whitey and Rosie from next door. It's been a good four or five years and all we've got is dried-up leaves and grass in it, and lawn clippings. I'm not sure that we're quite doing it right but we're going to keep on trying until we get it down pat, even to the point where we've got a second composter to accommodate our neighbour back behind us, Charlotte Cheel. So between Charlotte and her family and my neighbours on the east side and myself, we're working at the composting.

When you heard Ms Churley speak to Bill 90, you heard her express the New Democrats' great concern about this legislation. You heard her express some mixed feelings: one very much wanting to block the bill because of the legislation's failure, very much wanting to block it, and that means doing everything we can to obstruct its progress. But we're not going to do that. Ms Churley and the caucus made a very conscious decision, although part of us—and indeed, there was a significant debate—part of our caucus, part of every one of us very much wanted

to. But Ms Churley, with her contacts with the municipal sector, a number of municipalities, identified municipalities like Toronto, Hamilton and Guelph, among others, that have a strong interest in one of the most modest proposals here in Bill 90, and that is the prospect—no guarantees, but the prospect—of getting some corporate involvement and subsidization of blue box programs.

Do you know what happened down in Niagara? We had weekly blue box collection and the blue box program was moving along in an outstanding way because people were acquiring discipline and the blue box program was able to expand beyond the original types of components; you know, the tin cans, the Campbell Soup cans and the glass jars that you could put into the blue box along with newspapers. It expanded so that it included laundry soap boxes and a wider and wider range of things that were being processed through the blue box program.

But then this government's defunding hit—whack, boom, smack—and blue box collection, which had been developed so well in the city of Welland, was reduced from once a week to once every two weeks. That puts a real dent in the progress, because that requires a collective discipline—something New Democrats are familiar with. But it requires a collective discipline for a community to remain committed to the blue box program and to be disciplined about ensuring that recyclables are blue-boxed. The temptation increases when you have once-every-other-week collection, that rather than put the Campbell Soup can or the Heinz bean can in the blue box, you look over your shoulder and, boom, toss it into the kitchen garbage bin. Before you know it, you start getting sloppy about it because you don't want the blue box sitting out there for two weeks accumulating and filling up. People start to lose that discipline.

So it's an incredibly tragic thing when municipalities like ours—Mr Bradley knows what I'm talking about. Because of the downloading and the defunding by the provincial government—this government—of blue box programs, it's a tragic thing when you start to roll back the progress that's been made. It makes it all the harder to rev it back up again.

And I say, there are some modest, some feckless—without feck—hopes on the part of municipalities in this bill for the prospect of some corporate participation. You see, the problem is, one of the serious arguments made about Bill 90 is that all it will do will be to move manufacturers who use containers away from recyclable containers, because manufacturers who don't utilize recyclable containers won't be a part of the proposed programs in Bill 90. That means that we're encouraging manufacturers to revert back to real garbage again—landfill. That's not progress. That's backing up a long way. That's putting her in reverse and just putting the pedal to the metal. We don't call that progress.

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I want you to hear about some of the efforts that were made by New Democrats at the committee hearings. For instance, we believe that the bill should stipulate that

municipalities will get at least 50% of their net operating and capital costs for running blue box programs, and that's the amendment the New Democrats put before the committee—blocked by the government. The door was slammed in our faces. I mean, we tried. We did what we could to make the bill a better bill, to make the bill the meaningful bill that it could be, had this government listened to New Democratic voices in committee and, quite frankly, to the people making submissions to that committee. But the government said no.

You see, in the government's initial draft of the bill there was no guarantee of any funding at all, neither operating costs nor capital costs. The bill only put a cap on the amount of contribution that would be made by the private sector, and that cap was a maximum, not a penny more than 50%. As a result of pressure, the government did change that to say there would be funding equal to 50%, but omits to say 50% of what, and that's what was critical for New Democrats: operating costs only or operating and capital costs? We believe that for this bill to have the impact that the government claims it's going to have, that is critical. That was a critical amendment. It was an amendment we made, but it was an amendment that the Tory majority on committee used their power as the majority to defeat.

Look, this government's been making funding announcements for six and a half years now and has delivered on but a fraction of those funding announcements; indeed, it's made funding announcements, the same announcements, over and over again: \$39 million, SuperBuild, Niagara region—not a penny. Is there a penny yet, Mr Bradley? Not a cent, not a nickel, not a dime, and it's been announced over and over again by either one of the two Tory bluebloods, both of them fierce advocates for Mr Flaherty, both of them clearly positioned on the angry right wing of the Conservative Party. He was one of the angriest right-wingers in the leadership campaign: Mr Flaherty, a man who says Mike Harris didn't go far enough and he didn't do it fast enough and he didn't draw enough blood in the course of doing it. But you leave it to Mr Flaherty and, by God, he'll finish the job in a way that Mr Harris never even contemplated.

In any event, we've heard that before, because our question to the government was, "You talk about funding, but when?" Yet another promise. You see, the fact is that it simply isn't clearly stated in the bill. Some very clever people have read the bill and told us that it could take months and months, and maybe even up to a year, for any funding to flow. Not good enough; it doesn't cut it. It's not good enough for New Democrats, because we expect more if we're going to talk about real waste diversion. So we tried to amend the bill and, once again, what was the government response? They slammed the door and said no.

Clearly, this government doesn't want to pass legislation that sets a clear time frame for the funding to flow. You see, we tried to get the bill changed so that funding would effectively be retroactive to the date of royal

assent. It sounds logical to me. It sounds more than fair, and it's exactly what municipalities need because municipalities are being stuck with the waste that Industry produces and they have to deal with that waste today. They can't defer it. They can't say, "We'll somehow shelve that waste. We'll put it into cold storage and then when the funding flows, if it ever does flow, be it months and months or as long as a year, if not years, from now, we'll deal with it." No, municipalities have to deal with the waste immediately, and the waste is accumulating as this government dithers.

So New Democrats wanted to make the funding clearly retroactive to the date of royal assent, but the government blocked that amendment as well.

This is where we talk about the organic waste, one of the single largest contributors to landfill crises across this province. New Democrats asked, "What does this bill do to encourage and support municipalities getting organics out of that waste stream and to move to composting?" That's the solution; that's how it's done. It ain't rocket science any more.

What does this bill do to support and encourage municipalities to get organics out of the waste stream and move to composting? Nothing, zip, zero, nada, zilch, not even lip service. Diverting organic waste from landfills into composting is critical to an effective waste diversion program. Whether it's up in Timmins-James Bay or down in Niagara region, whether it's in the city of Toronto or in Fergus, Ontario, getting organics out of the waste stream is critical to proper and healthy and meaningful waste diversion. But there wasn't a penny in this bill, there wasn't a penny in the government's plan for that diversion.

New Democrats asked, "Haven't you learned from the experience of Halifax?" The city of Toronto has a program ready to go, to divert 60% of its waste through advanced composting and recycling. What's stopping them? What's stopping them are the resources necessary to get that plan going. You see, this bill does nothing to support that admirable initiative by the city of Toronto. New Democrats brought forward provisions to the committee that would have added provisions for funding these kinds of forward-thinking initiatives, that would help keep waste out of the landfills and reduce the pressure on the blue box. What was the government's answer? Slam the door, no way, it's not going to happen. This government would have nothing to do with diversion of organic waste from municipal landfill waste streams.

One that stuck me as particularly repugnant—because I read the bill, and the bill talks about setting up boards of directors of people from this industry and people from that industry and people representing this set of stakeholders and that set of stakeholders. I read the bill and I read it again and I read it three times. I went to Ms Churley and I said, "What is remarkable here is that there isn't a fair representation on the board of the waste diversion organization that the bill provides for." The board isn't weighted fairly, and it's open to the very

distinct possibility, indeed the likelihood, that municipalities, the ones who have to do the work of running blue box programs and who are ultimately responsible for the waste within their municipality, the waste that industries generate—the municipal representation may fall far short of the industry representation on these boards.

New Democrats wanted to ensure, by way of amendment to the bill, that municipal representation did not fall short of 50%, was at least 50% of the members of these boards. It was a meaningful amendment, a very effective amendment, one which would have made the boards far more effective in the work they're supposed to do and far fairer for municipalities. Would the government have anything to do with it? No, they slammed the door once again. They blocked it. As well—and this is the most shocking observation—I asked Ms Churley, "How come there's no mention in the bill of representatives from the environmental community, people who know about and care about and have a passion about and a commitment to waste reduction, waste recycling and indeed so-called waste but re-use, the 3Rs?" Where were the environmental advocates on these boards? Where was the provision in this bill for committed environmentalists to participate in this process so their expertise could constitute a contribution to the work these boards are supposed to do?

Oh, the government boasts all about how this bill was to advance the 3Rs, but as Ms Churley said to me, "How many members of the government even know what the 3Rs stand for?" How many know there's a priority in the 3Rs, that they don't stand side by side, that there's a priority, there's a hierarchy, that reduction comes first and foremost? Reduction is critical. Reduction is the cornerstone. Reduction is the foundation of any meaningful waste diversion, waste reduction program, followed by reuse and then by recycling. Recycling is at the end of the line. And Ms Churley asked me to reflect on how many government members understood even that, and how many of the industry reps who are going to be on these boards either understand it, or for that matter, if they did, would agree with it. Not one.

So the bill doesn't cut it with us. This government is catering once again to their corporate buddies, their corporate donors, their corporate friends and abandoning municipalities in the midst of their waste crisis.

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The Deputy Speaker: Members now have up to 10 minutes for questions or comments.

Mr Ted Arnott (Waterloo-Wellington): Up to 10 minutes, Mr Speaker?

The Deputy Speaker: I was calculating the overall time. I stand corrected. It's two minutes.

Mr Arnott: I was hoping it was 10 minutes.

I just want to say to the member for Niagara Centre that I appreciate his entertaining comments. He is the NDP House leader. I know he is aware that municipalities across this province are hoping this bill will pass soon. We've debated this for a number of hours

now. We debated it last Monday night until midnight, starting fairly early—I think we started at a quarter to 7. So we've had a number of hours of debate already. I would hope that—

Mr Kormos: Are you going to move adjournment of the debate?

Mr Arnott: No, I won't be doing that.

I would hope that the New Democrat members as well as the Liberal members of this House will recognize how important this bill is to communities across the province. Most of the municipalities I've talked to on this issue over the last little while want this bill to pass. They want it to proceed soon. I would hope that all members of the House will keep that in mind as they think about whether they're going to give lengthy speeches tonight, because again, it is my hope that this bill can pass this evening. I'll leave it at that.

Mr James J. Bradley (St Catharines): The member for Niagara Centre displayed a detailed knowledge of the issues related to this legislation and to waste management in general in Ontario; he made specific references to the Niagara region.

I think his telling point for those who thought there was a lot of money in the system now was the fact that as a result of downloading to municipalities who have had new obligations placed upon them financially, and as a result of the provincial government getting right out of the business of funding recycling, we had situations such as the member described where, instead of having the blue box program once every week, we now have it once every two weeks.

Are people still putting items into the blue box? Yes, they are. Is the participation rate in terms of diversion as great as it was? The answer to that is no, because of the problem he described: people having to keep materials around for a couple of weeks. They've got company coming, they've got stuff all over the kitchen and there's a tendency for people once in a while to simply throw the item into the garbage. So he described a very good instance of where the provincial downloading and lack of funding has affected the municipalities.

Second, he talked about the need to divert organics from the system. Everyone understands that. The member for Guelph is here tonight. She knows that Guelph has been one of the leaders in the field of recycling over the years. If other municipalities were to emulate Guelph and, for instance, Halifax and Edmonton, with appropriate provincial funding assistance, we would see a much greater rate of diversion than we're going to see under this particular piece of legislation. So the member was absolutely right.

Mr Tony Martin (Sault Ste Marie): It gives me great pleasure to comment on the speech given by the member for Niagara Centre and to some of the things he had to say. I want to focus, though, on one particular aspect of his presentation, and that was the issue of, where are the resources going to come from to help some of these communities and small farmers deal with some of the regulations that they say, yes, need to be put in

place? If they don't get some help they're going to find it very difficult in the climate we're in right now in terms of the farming economy to do the kinds of things that are required?

I attended a day of hearings on this bill in Caledon, where a number of very hard-working, good farming folks came from his own area, from the St Catharines area, Niagara. They drove quite a distance, some of them, to present for a few minutes on this bill and to share with the government some of their concerns. Of course, the major concern was, how are we going to be able to afford to do the kinds of things we know we have to do, given the difficult economy that we're in and the changing nature of the farming economy in the province, and the fact that this government seems to have no interest in participating in any positive and constructive way to help them resolve some of their difficulties?

I say to you that if you want to get a handle on the priorities of a government, you simply have to follow the money. This government has shown very clearly where its priorities are over the last few months. They've bumped up corporate tax breaks to their friends and benefactors, but no money for the kinds of good things that this bill speaks to and will need significant resources to implement.

The Deputy Speaker: The Chair recognizes the member for Mississauga South.

Applause.

Mrs Margaret Marland (Mississauga South): You're using up my time, I say to the member.

My colleague the member for Waterloo-Wellington said of the member for Niagara Centre that his speech was entertaining. Since we are supposed to respond, in these two minutes of questions and comments, to the original speaker, I say through the Chair that the member for Niagara Centre indeed was quite entertaining. I thought for a few moments that I was at the circus, because you were going "Grrrrr," like that, over your desk, and I thought possibly, as House leader for the New Democrat Party, you were now the—"Grrrrr"—lion trainer.

Anyway, to speak to the bill, which I have an opportunity to do for about one minute, I'm proud to say that I was a member of Peel regional council when the blue box program was introduced in this province. If there is one region in this province that has actually been very successful in their waste diversion, it is the region of Peel. The fact that the municipalities support this Bill 90 tells us that the concept is working. It's going to take generations of education in terms of having people reduce, reuse and recycle, but we are making progress and we are going in the right direction, and in terms of protection of the environment, it is indeed a very significant and very important area. I'm proud of the fact also that our government has brought in Bill 90, because anything we can do to enhance the protection of the environment is vitally important.

The Deputy Speaker: Let me thank the member for her comments, and also mention to her that a few of us

will be interested to see how Hansard expresses parts of her remarks.

That making the 10 minutes I was referring to at the outset brings us to a response by the original speaker. The floor now goes to the member for Niagara Centre.

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Mr Kormos: I very quickly want to thank the member for Sault Ste Marie, who was able to integrate Bill 90 with other considerations. It's that sort of out-of-the-box, creative thinking that makes this caucus the quality caucus that it is.

Might I say to Mr Arnott, bills pass here with the majority government after they have received thorough debate. The New Democrats acknowledge that some folks will have commitments for seasonal holidays, so have those holidays and let the House resume on January 14, 15, 16. Let's come back, you see, because your people are coming on to New Democrats every minute of every hour, "Oh, pass this bill. Oh, pass this bill." No, we don't pass bills; we debate bills. The government calls them; the government sets up its agenda. A responsible assembly ensures that bills receive thorough analysis and critique on second reading. A responsible Legislature ensures that bills go to committee, where the public has input. A responsible Legislature ensures that that committee input is analyzed, referred to, that amendments are made, and it comes back for third reading, where there's more debate.

There are only nine New Democrats. We can't be responsible for blocking bills. We only have nine speakers. It's up to the government to call these bills and make sure they proceed through second and third reading. We've indicated we're ready to come back mid-January to resume the responsibilities as members of this Legislature.

You're letting a leadership campaign hijack the government. You're not going to return to this assembly for five or six months. There won't be a Parliament, there won't be an effective government, because you people are obsessed with the reins of power and the successor to Mike Harris.

The Deputy Speaker: Further debate?

Interjection.

The Deputy Speaker: Did the member for Mississauga South wish the floor?

Mrs Marland: I'm sorry, no. I do, actually, but I had my turn.

The Deputy Speaker: Then you'll respectfully allow others to have theirs, I'm sure.

With that, the member for St Catharines now has the floor.

Mr Bradley: Thank you for the opportunity to speak on this bill. I was surprised, as the member for Niagara Centre always is, that the government didn't have a speaker get up to speak on a bill of this importance, with some 56 or 57 members, or whatever it is they have now; it keeps going down.

I want to touch on the final response of the member for Niagara Centre as I begin my remarks, because I'm

always amused by the fact that the government goes to interest groups and tells them to phone the opposition: "If only the opposition will acquiesce to this bill, then it will get through and the world will be fine; the universe will unfold as it should."

I explain to them that since this government on two different occasions changed the procedural rules of this House to grease the skids for all of the legislation—

Interjection.

Mr Bradley: I'm glad the member interjects. I know we're not supposed to respond to interjections, so I'll just note there was an interjection. All of the opposition people who are here this evening, particularly the House leader for the NDP, will be amused that the House leader for the government just said, "Well, we negotiated these new rule changes." The negotiations took place with the proverbial gun to the head of the opposition. It was either you could have hemlock or you could have arsenic: "What would you like to consume, hemlock or arsenic?" Of course, the choice is not very good. Essentially, the government imposed its new rules on the House.

Interjections: No.

Mr Bradley: Well, it's absolutely true. This government had—

Hon Norman W. Sterling (Minister of Consumer and Business Services): You signed it.

Mr Bradley: There was no signature. I signed nothing. There was no signature. They jabber on the other side. I can tell you that the threat was always there: "You know, things could be much worse than what we're presenting to you now." The Speaker who is coming into the chair now would remember this. I think he was on the government benches at that time. He should have been in the cabinet, I thought, but the Premier, in his lack of wisdom, did not put the Speaker in the cabinet.

What happened was that the government imposed new rule changes which essentially give the government full control of the Legislature. All they have to do any time they want legislation through is bring in a time allocation motion. They essentially have taken away all of the bargaining chips from the opposition when it comes to sitting down at the table.

I used to be able to sit down with the Minister of Consumer and Business Services, the Honourable Norm Sterling, in a House leaders' meeting. We could come to some agreements to have certain legislation take longer to go through the House and face more scrutiny, and other pieces of legislation would go through rather expeditiously if there was a consensus that had developed around those pieces of legislation. Now, what happened was—

Hon Janet Ecker (Minister of Education, Government House Leader): Yes. We tried that. All year we tried that.

Mr Bradley: And it worked fine. Then the government changed the rules of the House. They weren't satisfied with that. I know the rule changes came from on high. I know where they came from: not necessarily from the then government House leader, the

Honourable Norm Sterling, because I had some quotes from him when he was in opposition saying that any changes to the rules that would take away the rights of the opposition to analyze carefully, and perhaps even slow down from time to time, legislative action on the part of the government—that that was quite legitimate. I was quoting him, so I knew he couldn't have been the author of those changes.

It came from the government of Ontario's number one influence, and that is Guy Giorno and the whiz kids, and then they put up one of their other whiz kids, the now Minister of Community and Social Services, another YPC, and he came forward and did some of the work—

Hon Mrs Ecker: What have you got against young people?

Mr Bradley: Well, he did some of the work on that occasion and with all his wisdom helped to impose these rule changes. The point I'm making, for those who are watching—

Hon Dan Newman (Minister of Northern Development and Mines): What about Conrad Black?

Mr Bradley: Conrad Black is no longer a factor in this province. Conrad has his knighthood now. He is now His Lordship or whatever they call them in the British House of Lords, so we don't have to worry about Conrad any more.

I will say, however, that we do have to continue to worry about the rule changes. I am sure that the moderate member for Waterloo-Wellington, when he was in the caucus room, did not agree with the rule changes that we saw.

So what I want to tell those people who say, "Well, you know, you have to speak to the opposition to get this legislation through," is that the government has complete control of this House. The member who was responsible for bringing that legislation through—at the bidding of Guy Giorno, I might add—said here that I'm supposed to be nice because it's Christmas. Well, speaking of Christmas, I am prepared, as members of my caucus are, to stay until almost Christmas Eve. I'll be reasonable; I would say the last Friday before Christmas. I am delighted to be here then. I'm prepared to sit between Christmas and New Year's.

Mrs Marland: We've done that. We've been there.

Mr Bradley: Margaret will remember. Margaret will remember when we did that one year.

I am prepared to come back—

Hon Mr Sterling: On a point of order, Mr Speaker: I seek unanimous consent to declare Jim Bradley grinch of the year.

The Speaker (Hon Gary Carr): I'm afraid we can't have a silly one like that. Will the member continue, please?

Mr Bradley: Well, I'm prepared to be reasonable. As I said, let's quit the Friday before Christmas.

Interjection.

Mr Bradley: Be reasonable. I thought the member for Niagara Centre offered a good suggestion. He didn't even say come back the first week of January. We have

Orthodox Christmas and New Year's that we want to celebrate as well as the Christmas we celebrate in December and New Year's Day on January 1. We have the Orthodox Christmas and New Year's that we have to celebrate as well, so he suggested we come back about the middle of January.

I think we could have a detailed analysis of this legislation at that time. However, the government still has the opportunity, whenever it wants, to impose closure, that is, time allocation, which will limit the debate on this bill.

So when they go to their friends in the municipalities, and others, who then phone us, we're able to tell them this government fully controls the agenda. You know as Speaker how many times I have to appeal to you to try to defend the rights of the opposition and how you would like to do so, but that on so many occasions you have to get up to express your sympathy with the individual members of this House, particularly the opposition, but indicate that under the new rules, you do not have the power to intervene on our behalf.

Hon Mrs Ecker: What's all this about new rules, the rules you agreed with?

Mr Bradley: No, I beg to differ with the member. At no time did the opposition agree with your new rules.

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Hon Mr Sterling: Yes, you did.

Hon Mrs Ecker: It was unanimously carried in the Legislature, and you agreed with it.

Mr Bradley: No, no. We did not agree with them.

I want to say one good thing about the rules to the Minister of Consumer and Business Services, because not everything he did in this regard, or contributed to, was wrong. I thought the rule that allowed for debate to take place, to have hearings before second reading was a good rule change. I want to say, as I'm always very fair to the government, that I thought that was a good rule change. But most of the rule changes were clearly there to defang the opposition, to grease the skids for government legislation, which gets me to this bill.

I wish the government would be prepared to invest, not necessarily in the day-to-day operations of the recycling program or waste diversion—although that would be nice, I'm realistic enough to know the government won't do that. But I suggested in committee—and I thought the member for London-Fanshawe was nodding at the time I said it—that perhaps they could invest in research and development, in that aspect of things, or some promotion, though I'm always reluctant to ask that. And the reason I'm reluctant to ask that is because this government is noted for government advertising.

The member for Mississauga South noted the significant contribution made to the United Way of Greater Toronto as a result of the auction and that I could not possibly be the grinch who stole Christmas, as the Minister of Consumer and Business Services has suggested.

Hon Mr Sterling: Who managed to make your donation—

Mr Bradley: Yes, and he was actively involved in driving up the prices, I might add—shilling for somebody. But it was a good cause.

Now, I want to say to the member for Mississauga South that I well remember the enthusiasm with which the city of Mississauga and the regional municipality of Peel embraced waste diversion programs.

When I was the minister, trying to encourage municipalities to participate, two of the areas that were very good—and I see them represented here; there were others. Guelph was one, and I would say that Mississauga was another. I remember that when we got into the recycling of wood in construction materials, for instance, people said, "That can't possibly be done." Well, in Mississauga it was done. I went to a demonstration project. The mayor of Mississauga, Hazel McCallion, was there and very enthusiastic about it.

By the way, I saw her in a television interview just the other night on CPAC. They were talking about her 80th birthday and the celebration for that and some other things. She was, as always, very controversial, very interesting to listen to and very forthright in expressing her views. Even those of us who from time to time haven't found ourselves exactly with the same view as Hazel have respected the vehemence she demonstrates in putting her views forward.

She was certainly a good supporter of recycling, as was the member for Mississauga South, I might note, who was very helpful when she was the critic for the official opposition, or at least for the Conservative Party at that time, and did a good job, I thought, as the critic. I simply ask that she use her same influence with the present Minister of the Environment as she used when the Liberal government was in power, because I thought she was a very effective critic in that particular day. I found her to be helpful as well as tough as a critic, and those two things are both important.

I remember that the goal in Ontario—and you will remember this, Speaker, because you've been a member a long time—was a 50% diversion rate by the year 2000. We were well on our way to that, and along came the Harris government and completely abandoned municipal recycling programs, left the municipalities on their own with these recycling programs. Again, it was this fetish with tax cuts that they had, the same one that's there today that has this government in a complete panic.

I remember that you, Mr Speaker, and the member for Waterloo-Wellington were among a cabal of Conservative members who cautioned the government not to cut taxes until the budget was balanced: very wise people, I might say, all of them, and they were pretty public on it. I complimented them on many occasions in this House.

But there's this obsession with tax cuts. As you would recognize now, probably at tomorrow's caucus meeting the member for Waterloo-Wellington will be telling the government that it's in real trouble because of further tax cuts. The Minister of Labour says that. The Minister of Labour says, "I can't promise further tax cuts, because

we're going to have a deficit if we promise them, or we're going to have to make some drastic cuts in programs." So I have the solution for you—always helpful, always happy to give you positive solutions: abandon your ideological movement toward more tax cuts and invest in the Ontario economy. I'll be the first to applaud you.

You have to know the Honourable James Flaherty, the Minister of Finance, is in full panic mode right now, because he recognizes that not only has he implemented tax cuts, but he has accelerated the tax cuts. Now he's going to be \$3.7 billion in the hole. In other words, he's not going to be getting that money in. So in a full panic he goes to the federal government: "I need more money for health care." Well, there isn't anybody in this Legislature who is honest about it—and we're all honest about it—who doesn't know he wants the money to pay for that tax cut. That's what he's panicking about.

So my solution, for the non-ideologues over there—and there are not too many of them, but I think the Minister of Education is not an ideologue; I may disagree with her on some things, but she's not an ideologue—is I think they should say, "Look, we've given a lot of tax cuts in Ontario"—and the Harris government can say they have; without a doubt they can say they've given a lot—"Time now to reinvest in education and in health care and in the environment," which would affect this particular bill.

The minister no doubt would like to change the rules that affect school closings. In fact, I've written her a letter—I don't know if she got it yet, because it was sent by fax to her office, and maybe she hasn't been to her office—asking that she give to the district school board of Niagara the same permission she granted to the school board in Durham, and that is to postpone until the middle of February their final consideration of school closing. What that would do is it would give the minister time, when they've abandoned the tax cut, to rejig her formula to allow these neighbourhood schools to stay open. But I don't want to test your patience by moving away from the topic at hand, which is the waste diversion bill—even though it was a diversion. That's why I thought I might be able to get away with it.

I look at the bill itself. To us, there are a lot of things to commend in this bill. I think there are some good things in this bill. I don't think there's enough in it to make me vote for it, but that's not to say that much of the work that has been done by some of the people who have been involved in the negotiations wasn't worthwhile work. Had the amendments that were placed before the committee been accepted—and I voted for all of those amendments; I supported all of those amendments; the Liberals did support those amendments—the bill would have been a better bill. Would we have been able to vote for it? I don't know about that, but it would have been a better bill. Had there been further amendments made, we may have even seen the two opposition parties voting for the legislation.

I'm worried, as the member for Niagara Centre has expressed his worry, that we may have a situation where people who use packaging today which is recyclable will start producing packaging which is not recyclable, which would go into the garbage can, and the reason for that would be that they wouldn't have to make a contribution to the waste diversion program. That would be most unfortunate. That's something that is not adequately addressed in this particular piece of legislation. Should those who create the garbage, in other words those who create the packaging, for instance, that goes into our garbage, pay part of the cost? They sure should. I think 50% is very modest in terms of the amount to be paid. I think if you had cost sharing, you might want to have the province, the municipality and the lion's share being paid by those who actually create the waste itself.

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I worry about how long it's going to take to actually implement the bill even if we pass it tonight. There was one amendment that the member for Waterloo-Wellington, the parliamentary assistant, would remember, which would have made the bill retroactive in terms of its funding. I thought that would have been reasonable, because everybody knows that the bill eventually is going to pass. Everybody knows that there's going to be a waste diversion organization that is going to be very much involved in its implementation. It seems to me that we could easily agree that the funding would be retroactive, for instance—I'll give a "for instance"—to January 1, 2002. I think that would be reasonable. I'm not saying we go back to September or last year. I think that's reasonable. Yet the government rejected it. I had the feeling that the member for Waterloo-Wellington himself, the parliamentary assistant, probably would agree with it, but he always had his marching orders on paper that he had to read to everybody, and he read them with his usual smile on his face, which told me that he wasn't necessarily believing what he was reading. But it was his responsibility, and I said that in committee, to put forward the government position. When you're a parliamentary assistant or a minister, you're under obligation to do so, and I understand that, but I really believe in his heart of hearts he saw some of the deficiencies in this bill and would have supported some of the amendments that we see.

The municipalities, while they are generally in agreement, still have some concerns, I know, with this bill. The key element that is missing from the set of tools that is supposedly set out for the municipalities is the provincial funding. Remember, the Ontario government collects over \$40 million a year on products sold at the LCBO. Up until a little while ago, they only gave \$5 million back. Perhaps that's another source of funding to help out, and that could be provincial funding, as opposed to one of the organizations that produces packages.

With that, I'm going to sit down and listen to the responses of my colleagues in the House.

Mr Kormos: This is a good debate. I'm enjoying this debate. I wish the Conservative backbenchers would be

more inclined to participate in it. I regret that they're not engaging in the debate. I suspect some of their constituents regret that their Conservative MPPs are not engaging in the debate. I suspect some constituents from some of those Conservative ridings are watching this legislative channel, notwithstanding the competition from the cable company—if anybody's foolish enough to still use cable, in contrast to antennas, which cost you nothing once you buy them, or to satellite service, which is clearly far superior to any cable, be it Rogers or Cogeco.

But people watching this who live in ridings represented by a Conservative say, "Hey, what's going on? We see the Liberals debating and we see New Democrats debating this bill and talking about this bill as it applies to their communities. Why are there no Conservative backbenchers debating this bill?" I suspect there are people from communities across this province watching the legislative channel right now who are scratching their heads saying, "Why are Conservative members who represent us not debating the bill?"

I, for the life of me, can't explain why Conservative backbenchers don't want to—look, I'm quite eager to take this bill apart and to—what do they call it?—deconstruct it and to analyze it and criticize it and point out its shortcomings. One would expect, if Tory members are going to be supporting Bill 90, that they would like a similar opportunity to stand up and explain why they're supporting it, just as I'm explaining to my constituents why I'm not supporting it. I find it remarkable that it's the opposition that increasingly finds itself carrying the debate here. Either the government members are disinclined to stand on their feet and speak or they're embarrassed about their own legislation or they're being gagged by their own House leader.

Hon Mr Sterling: Perhaps I can explain to the members opposite why we don't feel it's necessary for us to talk ad nauseam about a wonderful and bright idea which has been accepted by some other provinces, like the province of British Columbia, accepted by the municipalities across this province, and the only people opposing it are those on the opposite side of the fence here.

This is a good idea and it doesn't take a genius to accept this concept and put it in place. But we have opposition who want to oppose for the sake of opposing. They want to look back to the old days when the blue box program was broke. It was broke. It was broke in 1990, it was broke in 1991, 1992, 1993, 1994, 1995. When this government came to power, it realized it was broke, and we tried to find ways to drive efficiencies in the blue box program. We wanted to expand it, which we now can do under this program, to take on household hazardous waste, waste tires, all those things that were just disregarded by the former programs.

We don't have to talk about this any more, because it's a great idea. I haven't actually heard from the opposition what they're opposing. What they're proposing is a bunch of old-time politics: "Write some more cheques to the municipalities so they can waste it on a broken-down

blue box program." This is an improvement to the blue box program. This is an improvement to a recycling system that wasn't working any more. Now, under this new Waste Diversion Organization, we will be driving up recycling rates, we will be driving up the reuse of many materials in Ontario, and this will be a tremendous success for the people of Ontario.

Mr Pat Hoy (Chatham-Kent Essex): I'm pleased to rise and make comment and to congratulate the member from St Catharines for his presentation here tonight on Bill 90. I thought his comments were wise. Even though he was being interrupted with notes from the government side, he stuck to the debate and put forth our position quite distinctly.

Once again, we see a bill brought forth by the government that really doesn't provide any funding. They have lots of ideas of what municipalities should do and what their role would be, but there is no funding. We have the greatest respect for the municipalities to use that money wisely. It seems on the government side they don't have that same respect. As I say, once again, another bill that's lacking any funding.

It reminds me of another initiative that the government put forward in food safety. There was no money to be put forth for compliance. There just wasn't. I had constituents call me and say that if that bill passed without any funding, they would go broke. They're small mom-and-pop businesses that have been in their families for generations with their family names on the products, sold locally and throughout Ontario. They would go broke without any funding. But once again the government provided us a bill that had no funding to help with compliance.

The same can be said with nutrient management, another bill where the government came forth with initiatives—and will some day with regulations, which we have not seen—and there was no money for compliance.

So clearly the government doesn't have that faith in the municipalities to use the money wisely so that we can handle the waste that is generated here in this province. I think they've missed an opportunity to ensure that Bill 90 would work to its fullest.

Mr Martin: I want to commend the member for St Catharines for once again contributing to public debate in this place in a way that challenges all of us, shares with us some of his own experience and unique perspective on some things, particularly where the environment is concerned in this province.

He raised the issue that so many of us find so frustrating around here these days, which is the lack of respect by the government to due process, the changing of the rules. I know we all participated in that, but none so aggressively as this government, where here we are at 10 minutes to 10 on a Monday night debating very important public policy for this province. They've chosen not to get up except for the odd two-minute response to speeches that we make. Even more problematic is that they are not willing to entertain amendments. The

member from Prince Edward-Hastings and I tomorrow will be tabling some very significant amendments on another bill. You could close your eyes and pick any bill that this government has brought through and experience the same lack of interest in anything the opposition has to say, the lack of interest in amendments that would improve on the bill.

2150

There's a sense, I think, across the way that we really have nothing to offer, that all we have over here is politically motivated partisan rhetoric, when in fact if you look at some of the amendments that we table on a regular basis to almost every bill that you bring in front of us here, it's always in the interests of improving that bill, of making it respond to some of the things we're hearing out there that people are saying about the bill and how it will actually apply to their particular circumstance. They're saying all kinds of innovative and constructive and positive things that could be incorporated, but no, this government would rather not do that. Here we are two days before the end of the session. We have another new bill in front of us here that's going to be time-allocated, and there you go.

The Speaker: Response?

Mr Bradley: I appreciate the comments of the member for Niagara Centre, the Minister of Consumer and Business Services, my colleague from Chatham-Kent and my colleague from Sault Ste Marie, because they all recognized something about the bill. The government member, the minister himself, a former Minister of the Environment, recognizes, as we all do, that there are parts of this bill that are supportable. I wouldn't deny that. I think with most legislation that's brought forward, if you analyze it carefully, you will see that there are parts of that legislation that are very supportable. When it doesn't go far enough or when there are flaws in the legislation or a hostage somewhere in the bill that makes it unsupportable, then the opposition wants to look more carefully at that legislation.

We worry, for instance, that we don't see the kind of penalties that are needed when there's not the kind of participation we'd like to see in this bill. There is not the kind of penalty that is a disincentive. There are a lot of incentives, and I like that, but there have to be some disincentives as well.

We don't see any investment of provincial funding at all in this—and I've been reasonable enough, as the member for Waterloo-Wellington knows, not to suggest the Ontario government would pay 100% or even 50% now, because we have the participation of the companies that produce the packaging, and that's as it should be. But I think there is a place for the province in terms of what I would call research and development, and to a certain extent promotion, though I'm always reluctant to say that, because this government has now spent about \$250 million on self-serving government advertising. In fact, one of the former Ministers of the Environment looks puzzling at me. I saw some more advertising this weekend. Now they're advertising the SuperBuild pro-

gram. So this government has all kinds of money for advertising, but not to invest in waste diversion in this province. That's where we really need the money, to invest in waste diversion, and not to waste on government advertising.

The Speaker: Further debate?

Mr Ernie Parsons (Prince Edward-Hastings): I'm pleased to speak to Bill 90. Again, I share what some of my colleagues have said, concern about this government not speaking to the bill. I find that rather ironic, because this government enjoys speaking about issues rather than actually solving them. There's a sense that once we've talked about it, it's so. The reality in Ontario from 1995 to now is that we have not seen the growth but in fact a diminishing of recycling. I would suggest that taking tires and piling them in a field is not recycling of rubber tires; it's simply hiding them from view and creating a different and larger problem.

Recycling is often seen as an urban issue, with houses close together and the opportunity to fairly economically do recycling, even though everyone acknowledges that you cannot totally fund a recycling operation itself out of the sales of the items collected. But ironically, in many ways rural Ontario has embraced recycling more than urban Ontario. For rural Ontario, recycling is an environment-affecting issue.

I would like to perhaps, if I could, talk about a dump that is located near my riding and use it as an illustration of how important recycling is to the very way and quality of life in rural Ontario. Just to the east of my riding there was the town of Napanee. It's now the town of Greater Napanee. They had a small family-owned garbage dump that was started many, many years ago and started in an area where now it probably wouldn't be permitted to start. It really was pretty good agricultural land that they chose to site it on. Then it grew and the family sold it to a larger company, Laidlaw, and it has subsequently been sold to another company called Canadian Waste Services.

Now Canadian Waste Services wants to take it from being what is really a regional dump to being a mega-eastern-Ontario, with potentially parts of Toronto, garbage dump. That means they intend to draw hundreds of thousands of tonnes of garbage a year and essentially put the garbage in a field and cover it up. So obviously it is of grave concern to the people in my community that there be a minimum requirement for taking and putting the garbage in the field.

Is there a way that we can stop that garbage stream and reduce the need for it? I can recall many years ago in my municipality when they instituted a bag tag. I quite frankly at that time thought, "Well, here's another tax; here's another downloading that I've got to pay." But I found personally for our family it had the effect of making us reduce. We were doing about a bag of garbage, sometimes two or on occasion three bags of garbage, a week. There was no charge for it. You paid for the plastic bag, you put the stuff out to the road, and it

disappeared somewhere, never to be seen again. It wasn't our worry.

The amount of money for the bag tag isn't a lot. But when they started instituting the bag tag system at the same time they instituted recycling, it caused us to think, "Are there ways we can reduce the amount of garbage going out to the road?" There's my wife and I and five children currently at home, and we've gone from up to three bags a week to a bag about every second week, sometimes more than every second week before we've got the bag full. And we're taking and putting in recycling materials that we simply hadn't thought about and had no incentive for seven or eight years ago. I know they pick up the items and they take them away, and sometimes the cardboard or the cans are worth a lot of money and sometimes they aren't. But it means that all of that material that has left my house in a blue box doesn't show up in a landfill site anywhere, and that is terribly, terribly important to the community.

We accept that we have to have a garbage dump. We have not yet found the magic box solution that enables us to simply have the garbage disappear. But we don't accept that we have to be the garbage dump for eastern Ontario. We believe that with the manufacturing plants that are in fact producing the garbage—and it has struck us more than once that the plants that produce the garbage tend to be in large urban areas. They not only produce the garbage; they produce the jobs. And so the municipalities that are larger, with these factories, get the jobs, get the money, and then we get the garbage. That seems somewhat less than fair. However, if we are going to get the garbage, then we believe all of Ontario has an obligation to minimize that quantity of garbage, to reuse as much as possible out of it.

This large company has decided to expand the dump and make it into one of the largest dumps in North America in a community that is established, that has a way of life, a quality of life, that could be and will be radically changed by the creation of this dump if it is approved.

Now, the first thing that happens is the company has to apply to the ministry for a licence for an expanded site. Thankfully, one of the steps in it is a requirement for an environmental assessment, but unfortunately, the minister has the ability to take and scope it, "scope" meaning that they can reduce the size in all of the steps that are required for an environmental assessment. The minister chose for this particular site to scope it, to reduce what has to be investigated to determine if it would have an effect on the environment.

The very first thing that was deleted from the normal process was what has traditionally been the question: "Do you need this garbage dump? Is there in fact a need for it in Ontario, let alone in this area?" That was removed. The company has no obligation that there is a need for a dump.

There's usually a requirement in there to say, "Are there alternatives to the garbage dump? Are there other things that could be done that would eliminate the need

for this mega-size garbage dump?" Well, that was removed. There was no need to prove that.

The community has grave concerns. It's easy to say, "Well, it's a 'Not in my backyard' syndrome. Nobody wants a garbage dump." But in this particular case, because of a lack of recycling in most of Ontario, this huge amount of garbage coming into a closely knit, established community, where people have farmed for generations—there's a church that has been there for 100 years now that has garbage up to its back property line. The community says this is not an acceptable way to treat the church or to treat the community.

The public knows that there is the problem, the visual. There's going to be a vast mountain that will be seen for several kilometres away, a mountain of garbage. It certainly doesn't enhance property values. There's a smell associated with it that was not there beforehand. That this company can come in and, because of their sheer size and their financial ability to enlarge the dump, totally destroy the life of the community around it is fundamentally wrong.

2200

Garbage dumps tend to attract birds. All of those three things I mentioned are an awful nuisance. They have an effect on property value and are a nuisance. But there is an even worse effect that comes of it, and that is the leachate down into the water.

One of the problems with operating a garbage dump is, when these big trucks roll in, the dumps are paid by weight. So the truck is weighed coming in when it's full and it's weighed when it leaves. But there is no way of knowing exactly what is in that truck. I don't believe the waste hauler knows what's in that truck. The waste hauler will go and pick up a bin—we have a program to recycle paint, for example, but people put paint out in the green garbage bag. Green garbage bags don't stay sealed forever; they get ripped and torn and the cans get crushed. Car batteries, cleaning fluids, industrial chemicals—it all forms an absolutely unbelievable soup that will eventually leak out through some crack.

It should be noted, if anybody knows anything about eastern Ontario, that the predominant geological feature in my community is fractured limestone. "Fractured" means cracked, so if you have liquids that leak into it, goodness knows how far they're going to travel.

Interjection: Along the cracks.

Mr Parsons: It certainly will, and it will travel for miles and miles.

We have geologists who make some pretty good predictions, and they can predict where the underground water flow goes and where the water flow on the surface goes. All of this garbage that's not being recycled and that is going to be shipped to my community will eventually leak and go into the water supply. What does that mean to a rural community when pollution enters the water supply? In an urban area, there is the ability to monitor at the plant and determine if there is a problem with the water. There may be a crisis with finding alternate water supplies, but at least we have one central

system for testing the water. In a rural farm area, if that leachate enters the water system, it will never leave within our generation or the next generation or the next generation.

For a farmer, a farm that does not have potable water is out of business. I can recall a day with my father when the water line froze to the barn and we carried water in pails from the house to the barn. I never had an appreciation of how much water a cow will drink in a day until I carried each of them a number of pails of water. For a rural community without drinkable water, the farm life is done, not for that farmer but for that farmer and the next generation and the next generation and the next, because that pollution will pool.

Interjection.

Mr Parsons: Seven generations, in all likelihood; it will linger 25,000 years in that rock, and there is absolutely no way to solve the problem. So when we take this garbage and flippantly put it somewhere in a rural area, we will potentially destroy it forever.

I say "potentially." The experts say to me that the question is not, will the dump leak?; the question is, when will the dump leak? So that polluted water has destroyed the life, has destroyed the value of the farms and has destroyed a part of our Ontario.

There is an opportunity for the local community to express their opposition. It can become very difficult, in that we get the community on one side, with no money, and the waste disposal company on the other side, with unlimited money. There is a great deal of money in garbage—a great deal of money. The companies that wish to expand a dump or open a dump appear to have unlimited resources, because they recognize it is a problem. This government has not done a lot to solve that problem, so the garbage companies are taking advantage of the fact that there is virtually an unlimited market and a monopoly for them to charge whatever they want to take and place the garbage. But we've got the community fundraising with yard sales and auctions and whatever they can do to try to raise the money to mount a defence.

Now, there's a craziness there in that the government, in theory, should be the voice of the people, but it appears that when the government scopes the environmental assessment it's more the voice of the company, so we've got citizens trying to raise enough money to fight their own government. There's something fundamentally flawed with that, that the community has to raise the funds to fight their own government. So it's not a level playing field at all.

This government has said that they won't have the dump go into a host community that does not want the dump. I can take the example in my community to show that that statement in fact means very little, or perhaps even nothing. The host community is defined by the government as being the municipality in which the garbage dump itself is located. But if you have the garbage dump located right on the boundary between itself and another municipality—in my situation you have the water both on the surface and underground flowing imme-

diately out of that dump area and into the next municipality, which happens to be the township of Tyendinaga. It flows from there into what is the reserve for the Mohawks of the Bay of Quinte, and then it flows into the Bay of Quinte, and then it flows into Lake Ontario, and then it flows into the St Lawrence River. So who is the host municipality for this? It's not just the municipality where the footprint of the dump is located, but it is a considerable part of Ontario and adversely affects all of them.

There is one unique thing in my municipality in that the water, both on the surface and underground, flows into the Tyendinaga reserve for the Mohawks of the Bay of Quinte. Where it flows into non-reserve land, there's always the easy but I think wrong solution, which is that we buy the farmland and we just abandon it. In the case of the Mohawks of the Bay of Quinte, this is their reserve. This is where they have treaty rights. This is where they have self-government. This is their homeland. If the water on the reserve is polluted, they cannot simply up and move to another part of Ontario and enjoy the same rights and privileges—and I emphasize the word "rights"—that they have on the reserve. It is imperative to them that they maintain safe drinking water on their land. And I would suggest that for all of my community it's important.

I have seen—I think it was on 60 Minutes—a show of when they went back to Chernobyl about 10 years after the disaster. They went through abandoned villages and houses and farms that were virtually the way they were the day the tragedy struck and they abandoned the area. If you take a megadump and allow it to pollute thousands and thousands of acres of land, you're going to have a landscape resembling Chernobyl, with no economic value left in that land. It is not possible to bring a water supply to each individual farm in a rural area. The cost of it is simply prohibitive and it can't happen.

When we have a government that has not been committed to recycling, unfortunately we see that the cheapest thing for some municipalities is to take the garbage, put it in a big truck and ship it out of the community. As long as you can't see it, obviously the problem is solved. But that is a time bomb for rural Ontario. The government needs to address, and address sincerely, the waste diversion. We need to reduce the quantity of garbage that we're having to put into landfill, and reduce it dramatically.

We need to do other things. I think we need to deal much better with hazardous chemicals. We've seen some nasty incidents in the Sarnia area that the member from Sarnia has shared with this House.

2210

Rural Ontario should not and must not be put in the role of being the recipient of garbage for all of Ontario. People would think it insane if the suggestion was made that Toronto needs to get rid of their garbage; there's some empty land along the Don Valley Parkway; why not put it there? It is equally insane to say we need to get rid of the garbage; let's put it down in Prince Edward-

Hastings; let's put it in Hastings-Frontenac-Lennox and Addington. There needs to be a much better plan prepared, there needs to be funding and there needs to be fairness. The community totally believes that there is a lack of fairness in this process that allows a full environmental assessment to be chopped into pieces, that forces a community to fundraise, to fight to preserve their land, not just for themselves but for future generations.

In my community we don't have to look far to see what happens when that isn't the case. In Sidney township there was a fairly massive dump on Aikins Road and it turned out that it's leaking material into the water. The effect of it was to destroy all of the water sources in the community. The provincial government responded by purchasing a water treatment plant and piping hot water to the houses, at considerable cost. Interestingly out of it, the province paid a lot of money for this water treatment plant and for the piping to it, the local homeowners paid a great deal of money, and the company that caused all the pollution that destroyed the wells paid nothing, not one penny, toward the cost of restoring the water supply to the community.

Mr Dave Levac (Brant): Why not?

Mr Parsons: The government seems to be unable to collect. I don't know whether to say unable or unwilling, but they've not collected any money on it. So the homeowners in the rest of Ontario have been stuck to bear the cost of, I guess, a kind of super-hidden user fee. The government got the money for the taxes from the dump but the residents paid to put the water system in. Even worse, down underneath that ground there continues to be leachate that has a potential to migrate down to the Bay of Quinte, and we really don't know the pollution created by it because we really don't know what the leachate is in the garbage dump. When we start to mix four or five or 50 different chemicals together, it's material that we simply don't understand.

This bill, which is a wonderful start, doesn't provide a guarantee of funding and doesn't have all of the teeth that it needs to have to say that recycling will happen. They talk about paying up to 50%, but we need to understand that life is more complex and we have recycling as a separate issue from the garbage dump. I urge the government to remember that the money spent on recycling saves money on the landfill—not just on the tipping fees, but it has the potential to save millions and millions of dollars in land not being destroyed by the pollution that would come out of a garbage dump. We need to have more respect for rural Ontario land than we currently do, and this bill doesn't guarantee that that will happen.

The Speaker: Questions and comments?

Mr Kormos: I listened carefully to the contribution to this debate by the member for Prince Edward-Hastings. His comments illustrate what I was speaking to just a little while ago and it's why it's incredibly important that government members engage in this debate as well. The member for Prince Edward-Hastings brought to the debate a rural perspective and illustrated the impact of Bill 90, an impact less than favourable, on the folks he

represents here in this Legislative Assembly. That's why people have to engage in the debate.

It's important that I hear from the Prince Edward-Hastings representative and I suspect—I hope—it's important that other people hear from the representative from Niagara Centre. In short order, in around eight minutes' time, we're going to hear from the representative for Sault Ste Marie, and in fact I know that there are a couple of folks who are going to be paying particular attention to what he's going to be saying during the 20-minute slot. That's the maximum amount of time he's permitted. Let's understand, the debate is rigidly controlled here. We don't get a whole lot of opportunity to engage in it, and when we do, we should be using that opportunity. It's part of our responsibility.

The folks up in Sault Ste Marie are going to be interested in what their member has to say about Bill 90, particularly some folks over on MacDonald Avenue, Mike and Rose Martin—his friends call him Mick—Mick and Rose Martin, who are going to be watching this evening with specific interest in what their son Tony has to say about Bill 90. I want to welcome Mick and Rose to the television audience of the legislative broadcast. I encourage them to get down to Toronto when they can and join us right here in the members' gallery. I'm sure they'll be given a seat in the gods by the member for Sault Ste Marie. Just as they're eager to hear from Tony Martin, the MPP for Sault Ste Marie, so am I. He, as a New Democrat, is illustrating the fulfillment of his responsibilities, his duties and his obligations as a member of this provincial Parliament. I wish others would do the same.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to rise this evening and make a few comments on Bill 90, the Waste Diversion Act, 2001. I'd like to make a couple of comments on the comments of the member for Prince Edward-Hastings.

One of the things he said, bringing it from a rural perspective, was that it was a wonderful start. I caught that in his comments. I hope that Mick and Rose Martin from Sault Ste Marie hear that as well. I think we've come a long way in the business of waste management and recycling in the last 15 or 20 years. I don't like to call it a wonderful start; I think it's the continuation of a lot of good things that have happened.

Looking at it from a rural perspective, I remember the problems we had up in Simcoe county, in the Orillia area, with an open quarry where Ontario Hydro wanted to dump fly ash at one time. I think a company called Ogden Martin wanted to put an incinerator in the city of Orillia at the time. It caused us a lot of problems in that area. No one really wanted it. I will give the NDP government of the day credit. They brought out the bill—I forget the name of it—that allowed the regions to take over waste management. I think it was in 1990 that that happened. The county of Simcoe was fortunate that time. They were able to take a whole bunch of poor landfill sites and amalgamate them into a system that worked out very well. Today the county has a very good recycling

program in place. But instead of looking at landfills in the future, they're also looking at enhanced recycling plants. I think this sort of thing is going one step in that direction as well.

The Speaker: The member for Brant.

Mr Levac: Thank you, Mr Speaker, for an opportunity to speak for a short moment on An Act to promote the reduction, reuse and recycling of waste. I want to point out something that happened in the bill. Quite clearly, the government has allowed itself not to promote something else, and I want to quote the bill: "A waste diversion program developed under this act" for the WDO "for a designated waste shall not promote any of the following"—and I want to come back to that—"the burning of the designated waste, the landfill of the designated waste, the application of the designated waste to land, any activity prescribed by the regulations." It was pointed out to the government that it's not good enough for them to say, "We're not going to promote those items." What they should be saying through this act, as it's called, to promote reduction, reuse and recycling, the 3Rs—they shouldn't be allowing those other four options to be taking place under the WDO's auspices. I'm concerned that's going to end up being one of the options some of the WDO might be suggesting and recommending.

I want to point out here the one member appointed to the Brewers Retail of Ontario and the one member appointed to the Liquor Control Board of Ontario. I concern myself with this because there was a section designed by the government. After they heard from Brewers Retail that because they're a closed system, they recycle 97% of their by-product already, what the government decided was to say that if anyone else becomes a closed system, they have to produce 75% reduction. So it's a race to the bottom here. Why would they not go to an expectation of 90% reduction? Why wouldn't they expect the Liquor Control Board to turn into a closed system instead of using the blue box cycle?

This is to promote better use and reducing and recycling. I think there are a lot of things in this bill that need to be tweaked and done. The member from Prince Edward-Hastings-Frontenac did a good job—or Hastings and—where are you from?

2220

Mr Parsons: Prince Edward-Hastings.

Mr Levac: Prince Edward-Hastings; he's got me so confused because he's talking about those dumps.

Mr Martin: I just want to say that I'm very pleased to comment on the speech given by the member from Prince Edward-Hastings. He and I will be teaming up tomorrow morning to challenge this government to pay attention, listen and take some action with regard to amendments that are coming forward from across this province on the Ontarians with Disabilities Act. I must say that his activity and performance in that circumstance was excellent, as was his presentation tonight. The member is always thoughtful in terms of his comments. It would do all of us well to pay attention, because we would learn

something that would benefit us as we debate and participate in the development of public policy in this place.

He reminds me, because of the work we've done and are doing on the Ontarians with Disabilities Act, that this government always seems very reticent to accept suggestions, particularly from the opposition but from others across this province, where it concerns improvements to acts they bring forward. I don't understand that. You'd think that anybody with any intelligence would realize they don't have all the answers. You always do better work when you include the insight of other people and try to incorporate best practices, best thought or best approaches. But that isn't always the case. Of course, in this instance, a subject so important as how we deal with the environment and how we manage our waste calls for all of us to be working together cooperatively. I'm pleased that the member for Prince Edward-Hastings has participated in this important debate tonight, and I will have a chance to do so in a more fulsome way as well in a few minutes.

Mr Parsons: I'd like to thank the members for Niagara Centre, Simcoe North, Brant and Sault Ste Marie, and especially to thank the member for Sault Ste Marie for knowing my riding name when my own colleague didn't.

This is an important issue. If I look at the industry in my community—and I think of companies like Essroc Cement, Midtown Meats and Procter and Gamble—they are working aggressively to recycle, reuse and reduce. But an individual municipality cannot recycle and reduce without government involvement. They need the collective power of a municipal or provincial government to allow them to have the opportunity to recycle.

I said this was a wonderful start. The problem with a wonderful start is that it also becomes the end. Dalton McGuinty and the Ontario Liberals do not support this bill because it does not go far enough. Once passed, that will be it. There will be no further action. There will not be requirements that it take place. It is absolutely vital for the way of life of rural Ontario that we reduce the amount of garbage going to landfills. It's not a nice thing, it's not a feel-good thing, it's not something we should do because it's politically popular. It's something we need to do because it affects us, our children, their children and on and on. To take the short, easy route that's happened since 1995 does not solve the problem but worsens it.

If we could just get back to 1995, if we could get back to when the funding was in place to recognize that recycling could not totally pay for itself, but that it had tremendous quality-of-life virtues that more than offset it. This bill does not do that. This bill says, "up to 50%." It could be 5%; it could be 10%. Municipalities are struggling now with the downloading. To expect them to do this additional thing, when it's a provincial issue, is simply not fair, and this bill doesn't address the issue.

The Speaker: Further debate?

Mr Martin: I appreciate the opportunity tonight to participate in this very important debate around public

policy. We should all, in this place, be willing to participate in this way. But alas we see here tonight another example of this government's lack of interest in debate and in the give-and-take of public dialogue on issues that affect all of us very directly, both personally in our own lives, in our homes, in our communities and across the province, and in this instance particularly, where it concerns how we together will manage the waste we produce, who will pay for that and how it will ultimately affect the environment and, as such, provide that which is so important, so essential to all of us as we try to live our lives: the water we drink, the air we breathe, the wildlife that lives in the forest, the forests and the trees that provide us with the oxygen. It's a circle that cannot be broken. It's a circle we have to be ever vigilant to protect. It's an ecosystem that is dependent one upon the other. The more garbage and waste we produce, the more potential there is that we will affect that cycle in a way that won't be helpful to anybody concerned.

If there's anything about which we should be willing to spend lots of time participating in debate, it is issues where the environment is concerned in the day that we live now and around the whole question of how we manage our waste. I have to say I'm disappointed tonight, as I reflect on some of the things we as government were able to do under the rubric of environmental protection and other initiatives, that this government so quickly, when they came to power—as they did with so many of the other things we had done, a lot of it very good, in the public interest of this province—just swept it off the counter and pretended to start over. In fact, we know that in many instances, particularly where issues of social community, issues of public service and issues of the environment are concerned, they got pushed to the back burner.

We've not seen much by way of new thought and new initiative around this until now, just months before we will see a change in leadership in the government across the way and, with that, probably a change in government in this province.

The wait until the last hour, the 24th hour, the last minute, to bring forward a bill as important as this is reflected in some of the comments that have been made by some of the folks out there who want to be supported in their efforts to manage their waste. The member from Prince Edward-Hastings and myself heard the same comment as we travelled the province with the Ontarians with Disabilities Act. There are those who are so anxious, after so many years of waiting and working and wishing that there would be something of an infrastructure nature in place that would support some of the very important work they want to do, the best they could say in many instances was, "This is better than nothing." I suggest that you look at Hansard for some of the public discussions that went on out there, the committee work that went on and the suggestions for change and the commentary of those whom the government suggests support this bill. In many instances, the best they can say is, "It's

better than nothing; it's a start." We hear that so often in this place as pieces of legislation are brought forward with no content and no substance to them. As a fellow in London said on Saturday, speaking to the Ontarians with Disabilities Act, "More fluff and spin; more spin and fluff." That's what this government has become so good at giving us, at delivering to us and at feeding us under the aegis of public policy in this province, in this place, at this time in our history.

Yes, when we were in government we made some mistakes, all with good intentions, as we tried to respond to the tremendous number of challenges we saw in front of us at that time. But in the area of the environment, we did some really good things, actually some extraordinary things, moving forward an agenda that was sensitive and intelligent, using the best of thought and science that was out there to manage a very difficult issue that we inherited when we became government in 1990 and make some very difficult political decisions about it and move forward with trying to, for example, encourage and put in place frameworks that would support communities looking after their own waste within their own jurisdictions.

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I remember in those days the comment that was made: "Out of sight, out of mind." At that time, we were talking about shipping garbage here, there and everywhere. Yet as a government we knew—although some of us weren't always convinced, because we were on a steep learning curve as well when it came to developing public policy and working co-operatively with people in this place as a Legislature to try to find the right approach. But in the end we always tried to at least listen to the varying and various voices out there and move forward with some very important initiatives.

The member for Simcoe North, who spoke in response to the speech of the member for Prince Edward-Hastings, mentioned that we did some things that were progressive in the area of allowing regions to manage their own waste. We also took a very strong stand at that time where the use of incinerators was concerned. It was a very controversial issue. We were trying to manage the whole difficult problem of landfills and the very frightening growth of the number of landfills in the province by instituting, introducing and providing resources and support to municipalities to have blue box programs. One of the signature pieces of our government was the attention we paid to, the resources we put into and the way we were able to work with, the private and public sectors around the question of blue boxing. But alas, this government has turned its back in some very serious and significant ways on that very progressive and responsible approach to try to manage some of the waste production that goes on in this province.

It's so typical, though, of this government as you look at this bill and compare it to other bills, that when it comes to delivering on promises it has made to its friends and benefactors out there—and I'm talking here now primarily in the area of financial concessions and considerations and tax breaks to corporations and wealthy

individuals across the province—this government can move with lightening speed, can be precise and can bring in legislation that is full of detail around the question of handing over public resources, spending the taxes of this province, the public funds, to give major tax breaks to corporations and other individuals.

But when it comes to the spending of public money on health care and education and, in this instance, the managing of our waste and the protecting of our environment, alas, there is a lack of detail and reference to where the money is going to come from or who is going to pay what or what percentage. The only thing you can say with absolute certainty is that this government is going to try to wiggle out, as much as it can, of any responsibility to actually pick up the tab. They usually walk away from the table and the municipalities are usually left to put the credit card on the table and pay the bill.

There are so many municipalities out there struggling under a debt load imposed on them by this government because of the download, because of the change in the formula where transfers to municipalities are concerned. Here, they are once again going to be saddled with a bill that has in it some very exciting and positive initiatives and movements forward, but they're not going to be able to afford to pay for it, and that's a problem.

But you can always tell a person's priorities by following the money, where an individual, a family, a community or, in this instance, a government is spending its money. If you look at the track record of this government over the last number of months, in their budget they announced tax breaks for corporations to the tune of some \$3.5 billion and another \$300 million in tax breaks to people who will send their children to private schools. Yet when it comes to the imposition or introduction of new initiatives where, for example, the disabled in this province are concerned or, as with this bill and in this instance, introducing new and important initiatives where protecting the environment and managing our waste is concerned, we have no money. There's no money. It's all spent. The cupboard is bare. It has been given away. Our public funds have been given away, so we don't have them any more to do those kinds of things that everybody who is of a fair mind knows we need to be spending public money on. So there's no money, and it's partially alarming, given the stress that's already in the system.

I just want to talk for the few minutes that I have left on a couple of the specific pieces of the bill here that I think deserve some scrutiny. We're saying in this caucus that the bill should stipulate that municipalities will get at least 50% of their net operating capital costs for running blue box programs, like they were getting in 1995. That is the amendment the NDP proposed for this bill and that was blocked by the government. In the government's initial draft of the bill, there was no guarantee at all of how much municipalities would get. The bill said only that they would get no more than 50%. That wasn't good enough and, to be fair, the government changed that to say they would get funding equal to 50%. But the question has to be asked, 50% of what? It's unclear. Does

that include capital costs? We say it should, but we don't know.

When will they get the funding? That's not clear either. By some people's reading of the bill, it could take months and months, maybe even up to a year, perhaps more than a year. We know that with other government funding projects, such as SuperBuild, we've been waiting for—how long now?

Mr Bisson: Almost two years now.

Mr Martin: Almost two years. Has your community got any of that money? Has my community got any of that money? No. What they do is, they announce SuperBuild, then they announce another program and another program. It's all the same money, but it never gets spent. When are we going to see some of the SuperBuild money? When are we going to see some of the OSTAR money? The OSTAR money is supposed to go to municipalities to cover the cost of some of the new regulations that you've brought in where the environment and protection of the environment is concerned.

There are communities out there, community after community, living with and under boil-water edicts from the Ministry of the Environment, waiting for money to invest in new technology so that they don't have to do that any more, so that they don't have to put themselves, their children and their families at risk. When is the money going to come? When is the money going to flow? That's the question of the century here with this government. It's not good enough.

We, the NDP, sought to amend a bill, and once again the government said, "No, we don't do that." We tried to get the bill changed so that funding would effectively be retroactive to the date of royal assent. Why not? The municipalities are being stuck with the waste that industry produces. They are having to deal with that waste today, and they are not getting all the support they need. Why shouldn't the bill be retroactive? Ask the government. They must know, because they blocked that amendments as well; they wouldn't let it go forward.

What does this bill do to support and encourage municipalities to get organics out of the waste stream and move to composting? Diddly-squat, nothing, zip, nada. It doesn't matter how you pronounce it. Why isn't there money for that? Haven't we learned from Halifax? The city of Toronto has a program ready to go to divert—Mr Prue will know—

Mr Michael Prue (Beaches-East York): It's 60%.

Mr Martin: —60% of its waste through advanced composting and recycling. What is stopping them? What is stopping them is this government. This bill does nothing to support that initiative—absolutely nothing. You have a community out there doing its thing, doing an excellent job—progressive, ahead of their time—and this government turns its back, turns a blind eye—no support. The NDP brought amendments to the legislative committee that would have added provisions for funding to these kinds of forward-thinking initiatives that would keep waste out of the landfill and reduce the pressure on the blue box program, but what did the government say?

Mr Kormos: Zip.

Mr Martin: Zip. No. No way. Not on your life. We're not going to do that. We can't afford it.

Mr Kormos: They slammed the door.

Mr Martin: Slammed the door. Stop giving money back to corporations. Stop spending public money on tax breaks for corporations and wealthy individuals and you'll have the money. You'll have a ton of money. Imagine the money this government would have in its coffers, coming in year over year over year, if they hadn't given away the tax breaks they have over the last five years. Stop feeding private schools. You've run this province into debt, in a way that nobody ever imagined you would, because of your spending on tax breaks for corporations and your wealthy friends. You have no money left, absolutely no money left, for initiatives on the environment, for initiatives such as this bill. Why are you putting this bill in place? Why are you going through the charade and an exercise of putting a bill in place when you're not going to support the municipalities with the resources they need to actually get the job done? Why?

Hon Mr Sterling: I thought you wanted to help Algoma.

Mr Martin: Where are you where Algoma's concerned? You're protecting your own interest, you're protecting the pensions, and we say thank you for that, but where are you on the bigger question? Why aren't you at the table like we were in 1992? Where's the leadership? You know where the leadership is? It has gone south. You know where the money is? It has gone to the corporations. There's none left. You have no money in the Ministry of Economic Development and Trade. You have no money in your financial coffers to pay for anything—Algoma Steel, this bill on the environment, hospitals, health care—no money.

With that, I find myself really frustrated, so I'm moving adjournment of the debate.

The Speaker: Mr Martin has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2243 to 2313.

The Speaker: Mr Martin has moved the adjournment of the debate. All those in favour of the motion will please rise and remain standing. Thank you; you may be seated.

All those opposed will please rise and remain standing.

Clerk Assistant (Ms Deborah Deller): The ayes are 11; the nays are 26.

The Speaker: I declare the motion lost. Further debate?

Mr Martin: I think it's important for people out there to know that the government is playing games with the

public policy of this province, playing games with the process of this place that has served us so well for so long. If they want fulsome and wholesome debate on some of this stuff that they're putting forward on the public policy, if they want fulsome debate on some of the things they are bringing forward here these last couple of weeks that are going to affect the lives of all of us in a major and significant way, they should be willing to come back after Christmas. We'll be here January 15 if they like, and we'll go through January, February, March, and come back for public hearings. Let's take some of these bills out there so people can have a chance to speak to them, so that they can get a sense of what it is that you're wanting to do, how it is you're willing to support that, and what co-operation they can expect from this government in trying to implement some of the initiatives that you see as being important that you're putting before us in this place these late nights of these weeks before Christmas.

Bill after bill before this House is time-allocated, with little debate, very little public input, no resources, no support. What do you expect? What do you expect us over here to do: anything different from what you had done when you were in opposition over here, when you didn't like what we were doing over there when we were the government? You're spending public money on your corporate buddies and you have no money left for any of the initiatives that the people of this province know are necessary if we're going to have good communities that are going to be supportive.

The Speaker: Questions and comments?

Hon Mr Newman: I listened intently to the member for Sault Ste Marie's speech tonight. I know there was a half-hour break in between because he wanted to adjourn the debate of the House, but I thought he would have wanted to talk about what the northern Ontario heritage fund has done for northern Ontario and particularly his community of Sault Ste Marie. I think we all know that the heritage fund doubled its annual allocation from \$30 million per year to \$60 million per year. We made that commitment over a five-year period, so that's \$300 million that's made exclusively to the communities of northern Ontario. In fact, back in February of this year we refocused the northern Ontario heritage fund to reflect the needs that the people of northern Ontario said that they wanted to see in their communities. We brought forward a number of flagship programs to include trails programs, agriculture and health care, among other programs.

In fact, there were two new programs that I launched with the northern Ontario heritage fund. One was the economic diversification program that is there to assist communities that rely on a single industrial sector for a great deal of their economy. The second new flagship program, and I'm sure the member opposite would have wanted to speak about it, is the northern communities capital assistance program, which is \$82 million being made available to all the communities across northern Ontario. In fact, his community of Sault Ste Marie is

eligible for \$2.5 million. I thought that he would have wanted to speak about it.

As well, we've made several other announcements in Sault Ste Marie. One of them was the \$250,000 announcement that the Premier was at. John Snobelen was there. Ted Chudleigh was there. Dan Newman, the Minister of Northern Development and Mines, was there. Guess who else was there? Tony Martin, the member for Sault Ste Marie, I thought would have wanted to speak about that announcement, because that announcement will help to bring jobs and economic development to his community of Sault Ste Marie.

The Speaker: Further questions and comments?

Mr Levac: Thank you, Mr Speaker, for the opportunity to congratulate the member for Sault Ste Marie and the passion that he expresses when he speaks about issues such as Bill 90.

Within Bill 90, I want to remind the House again, there were some concerns raised both by members of the opposition on the committee and by people who were speaking to the bill specifically from other groups. One of the other areas that was turned down by the government was the opportunity to ensure that the Association of Municipalities of Ontario was provided with at least one half of the representation on the steward program. That basically meant the municipalities would have the majority of the opportunity to speak to the blue box program, and they turned that opportunity down, which was definitely unfortunate.

They were also offered an opportunity to take another member from the Ontario Environment Network, which is a very broad-based voice on environmental issues across the province. Predictably, they did not allow that particular motion to pass, even as an observer, because as you noticed in the bill, even observer status was offered to members of the environmental community, and every single observer status that was asked for by members of the opposition was turned down.

Again, it seems that the only time the opposition was given any kind of acknowledgement was the Brewers Retail. They had made that recommendation because they were a closed group, and I want to make sure I come back to that again.

One of the other areas that was brought up as a concern and was raised to the government side, and they didn't give us a rationale that we believe was appropriate for this particular bill, was that subsection 30(1) does not apply to "a person who is designated under the rules made by an industry funding organization as a steward in" designated waste, if the plan relates to designated waste and is approved under this section, and they are also exempt from fees. What they also did with the fees is that gifts in kind provided by any of the providers are good enough for their fees. My comment is: pay the fee and do the gifts in kind.

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Mr Kormos: First, I want to explain this to the Minister for Northern Development: it's 11:15 at night and the only people listening to this in Sault Ste Marie

are Mick and Rose Martin over on MacDonald Avenue, and they don't believe you, Minister of Northern Development. But I believe Tony Martin has aggressively pursued every single provincial initiative that Sault Ste Marie has acquired for the 10 years he's been the MPP for that riding, for that community.

Tony Martin has single-handedly taken on this government, demanding its participation in the Algoma restructuring. Tony Martin was there in 1992 when a provincial NDP government saved Algoma from absolute closure. Tony Martin is there today with those workers and those families at Algoma, fighting to make sure Algoma is saved yet once again. I'm proud to be a colleague of Tony Martin. The people of Sault Ste Marie have been well represented in that riding. I knew Tony Martin's predecessor, and they've been well represented in this Parliament for a good number of years now.

I'm proud of Tony Martin's perspective on Sault Ste Marie, of his understanding that northern communities are different, that they are distinct, that they are in fact special, and that this government has to be provoked on a daily basis to give northern communities the regard they and their residents deserve. This government has to be provoked by Tony Martin and other northerners in this caucus so that this government can understand that Queen's Park had better understand the province of Ontario doesn't begin and end at the intersection of Yonge and Bloor in downtown Toronto. I say that riding's well served by Tony Martin.

Mr Arnott: I wouldn't dispute that the riding is well served by the member for Sault Ste Marie. But I have to point out that this bill has been debated now on second reading for in excess of six hours. This is a bill all members of the House purport to support, and yet we go on and on tonight rehashing the same arguments. I've been listening intently since we resumed debate tonight on this bill at about 9 o'clock and there have been virtually no new arguments presented.

Interjection.

Mr Arnott: I say to the member from Toronto, I gave a fulsome speech. I don't think you want to hear it all again. Last week I spoke on this at length, as did the former Minister of the Environment, currently the Minister of Consumer and Business Services, and we've had ample debate at committee. So I would again implore all members of this House, if you support this bill, let us skip to a vote tonight and pass it.

The Speaker: Response?

Mr Martin: The government is obviously upset tonight. I must have touched a nerve. I think it has something to do with the fact that we actually have the nerve to get up and debate items of public policy that come before this place, and to want to debate it until we're all done, until we all have a chance to have our say, to speak on behalf of our constituents, to ask the government to consider amendments and changes we might suggest because we think we might have something important to offer.

The other thing I think the government is upset about is that I'm very clearly pointing to some fallacies in their program. They like to pretend they're the great managers of everything public in this province. They've run the province into debt more than I think anybody ever expected because they continue to spend public money on tax breaks for their corporate friends and rich benefactors, to the detriment of programs like the environment, like health care, like social services, like education. When we point that out, they don't like it because we're hitting the nail on the head; we're on the mark. I think the people out there are beginning to wake up to that fact and it won't be long before they'll be calling you on the carpet about it.

As far as northern Ontario is concerned, and the bravado and bragging of the Minister of Northern Development and Mines, there isn't a region in this province that has experienced recession and difficult economic times like northern Ontario. What you're doing with the northern Ontario heritage fund is simply returning just a portion of the money you've removed from mainline ministries like the Ministry of Natural Resources, the Ministry of the Environment, the Ministry of Transportation. All the capital projects cut and you're returning a small percentage under the aegis of—

The Speaker: I'm afraid the member's time is up.

Mr Frank Klees (Oak Ridges): I find it ironic—I'm sure you do too, Mr Speaker—that the members opposite are talking about the need to further debate this bill and yet the member for Sault Ste Marie moved adjournment of the debate. If in fact the members have so much more to say about this issue, why would he move adjournment of the debate? It's beyond me. I'm sure, Mr Speaker, that you probably have a way of figuring that out. But I'm happy to speak to this bill.

The Waste Diversion Act, 2001, if passed, would establish a permanent long-term organization to develop, implement and fund waste diversion in Ontario. It would establish a new historic partnership between industry and municipalities to reduce the amount of waste being sent to landfills in Ontario. I'm sure members opposite support that principle. I see them nodding. I'm sure they will support this when it comes time to vote for this bill.

The first task of Waste Diversion Ontario would be to establish an industry funding organization to set and collect fees from industry to pay 50% of municipal blue box programs. Again, I haven't heard any objection from members of the opposition to that principle, which we believe is very progressive in terms of moving this issue forward.

I want to commend the minister for the way this bill was introduced in the House. It was a historic event in the sense that, after first reading, this bill went to the public for input. Never before, to my recollection, has there been a bill that at this stage of debate had that experience of being sent across this province for public consultation, for public input, after first reading. Even though it may have been done before, it wasn't done to the extent it was done with this bill.

It has undergone two days of public hearings where the committee had the opportunity to hear from numerous groups, so there was another opportunity for broad public consultation. There were two days of clause-by-clause where the committee had the opportunity to bring forward amendments, and many of those amendments are reflected in the bill as we see it before us today. The government House leader has also provided two days of debate on the bill for second reading.

I want to point out in this context that in the years 1986 to 1987, and Mr Speaker, you know who was in government during those days—

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Who? Name the members.

Mr Klees: I believe it was the Liberal government.

I find it interesting that tonight—you were here when this happened, I believe, Mr Speaker—the Liberal Party moved adjournment of this House, and the time for the bells took away a further 30 minutes of opportunity that members opposite would have had to debate the merits of this bill.

We had a similar thing happen with the NDP, who obviously felt it was time to move on for the vote because they took 30 minutes out of what could have been debate time to allow the bells to ring in this place.

2330

Between 1986 and 1987, there were 78 government bills that were considered in this place. Some 52 of those government bills were debated for less than an hour. Of 78 total bills, only four were debated for more than four hours. I want to point out that none of those bills, during those years, was debated for more than six hours. We have just passed some seven hours of debate on this bill.

I want to point out as well that this bill is supported by the Association of Municipalities of Ontario and many industry groups from across the province.

It is time that all parties put aside their political agendas and move this bill forward. For that reason, Speaker, I move that you now put the question on this bill.

The Speaker: I'm afraid there has not been sufficient debate. Further debate?

Mr Bruce Crozier (Essex): It would appear as though the member hasn't been around the House long enough to know the rules, either, let alone what may have gone out on first reading. In any event, I want to—

Interjections.

Mr Crozier: I'm a fan of Leonard Cohen, and Leonard Cohen, in his album *The Future*, has a song called "Anthem." The chorus of "Anthem" is:

Ring the bells that still can ring

Forget your perfect offering

There is a crack in everything

That's how the light gets in.

That's why we're up here debating this bill. We're trying to provide a little bit of light on this matter of waste reduction.

It's interesting; the speaker just before me said that the day this bill was introduced was a significant day. It certainly was; it was June 26. That happens to be my birthday, so I can remember this bill very well. But what is more significant is that, notwithstanding the fact there have been only two days of public hearings, which is something I wouldn't brag about, this bill has sat on the order paper for six months. Then this government, when they decide to stand up, which isn't very often, to debate it this evening—when they decide to stand up, they tell us how important it is. Yet it has lain on the order paper for six months. I can't believe it. I think the term the previous speaker used was, "It's beyond me." Well, it certainly is beyond me why you would let such an important bill, in your view, sit around for six months.

I should tell you too that some of you may be misinformed, because it's my understanding, at least, that our caucus opposes this bill. We believe that it in fact does offer some municipalities the tools to support waste reduction and initiatives that are needed in the province of Ontario. The problem is that before this government eliminated all provincial funding for the blue box recycling and waste diversion efforts, Ontario was a world leader when it came to developing and initiating waste diversion programs. Now, when areas such as Halifax and Edmonton are diverting more than 65% of their garbage from landfills, Ontario diverts less than one third. The city of Toronto diverts only one quarter of their garbage.

The key element that's missing from this bill and therefore makes it unsupportable is that the Ontario government, which collects some \$40 million a year in environmental levies on products that are sold through the LCBO—the government only allocates about \$5 million a year of this levy for waste diversion.

Now, it's great to say that this is going to provide some sort of funding for waste diversion in this province, and I think we all support that. We support the fact that municipalities are going to continue to be involved, quite frankly, because they've been carrying the load since this government eliminated any funding at all for the blue box, and we're pleased that industry is going to contribute to waste reduction in this province. But the crime of it is that this province isn't going to put any money into it.

It's the same old story: "Municipalities, we've got a good idea for you and we know what you should do and we know you can do it well. The only thing is, we're just not going to help you do it. We're going to make the rules, we're going to make the regulations, we're going to tell you how it should be done, but we're just not going to help you financially." You know, that doesn't do an awful lot. There's the old saying that you should put your money where your mouth is. The only problem with this government is they're all mouth and no money.

Both the province and the city of Toronto always had the goal of diverting at least 50% of their garbage by the year 2000. This goal was never achieved, and hasn't been achieved. Upon taking office in 1995, the Conservative

government eliminated the province's entire \$30-million municipal recycling program. The government also scrapped a deal that the NDP had made with the private sector that would have resulted in the private sector funding the blue box program. This deal, at the time, was deemed to be needless red tape.

Ontario now has one of the lowest recycling rates in Canada, with only 32% of garbage being diverted from landfills. Ontario is the only province that does not mandate that the private sector share a cost of recycling the products they produce.

Blue box programs cost municipalities \$45 million a year, with virtually no support from the province or private sector. The provincial government collects over \$40 million a year from a 10-cent-per-bottle levy on the LCBO, but has only promised to allocate, as I mentioned earlier, \$5 million of this to help develop initiatives to reduce waste.

The Provincial Auditor was very critical, in fact, of the government's lack of commitment to recycling programs in his 1997 report.

Quebec is moving towards 65% waste reduction and is investing significant provincial and private sector funds to achieve the goal. BC, Alberta and Saskatchewan have sweeping beverage container deposit regulations. Nova Scotia has banned all organic materials—grass clippings, food waste, that sort of thing—from landfill sites. They compost. Toronto, as I mentioned earlier, only diverts 25% of its garbage.

There are some excellent diversion programs in Ontario and throughout Canada that should be emulated by the province of Ontario as a whole. Guelph, for example, diverts 55% of its garbage, Halifax 65% and Edmonton 65%, and all of these cities have comprehensive plans in place that will see continued dramatic increases in these rates.

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In general, I think we would acknowledge that Bill 90 has received mixed response from Ontario municipalities. Most have said that the bill is a step in the right direction but that much more needs to be done in terms of funding and regulation. Municipalities are also concerned that the waste development organization will put the needs of industry ahead of the needs of the municipalities.

The industries impacted by Bill 90 have all been supportive in principle, but there will be considerable disagreement over funding responsibilities once the waste development organization begins to function. None of that has been settled yet. Municipalities and the Essex-Windsor Solid Waste Authority are waiting for that \$700,000 that should result from this bill. In fact, they're doing their budget at the present time and some in their board want to include that \$700,000 of income in their budget. I've cautioned them that when you look at a bill that this government has sat on for six months and that we're only into second reading on now and there are only a couple of days left before the Legislature is scheduled to adjourn, they shouldn't plan on anything until they have that cheque in their hand.

So those are some of the reasons, in the short time that I have had this evening to outline, why this isn't the perfect bill that this government might lead some of us to believe and that there should be a great deal more consideration and, at the very least, there should be meaningful and substantial participation by the province.

The Speaker: Questions and comments?

Mr Kormos: The rules are incredibly rigid around debate. We're now down to the point where members have but 10 minutes to speak, and what that means is that the rules ensure that the debate cannot be protracted. There was a time within my time here when yes, you could engage in protracted debate. You could focus attention on an issue and you could draw attention to a particular issue about which somebody felt strongly. I recall literally not just weeks but months of debate around extremely contentious issues where there were strong divisions in the assembly between the government and opposition parties, for instance. Notwithstanding the incredibly vigorous debate, there was an absence of the acrimony that seems to have permeated this assembly, this chamber, significantly and increasingly over the last several years.

I'm going to put it to you once again: the opposition parties don't set the House agenda; we don't decide when to call bills. It's the government that makes that determination. We didn't load the House calendar up with bills, introducing them as recently as the end of last week. But what the opposition parties have done—the New Democrats are putting it on the table one more time—is offer to come back here in mid-January and sit in a regular House schedule and debate the legislation that the government puts forward, ensure that it's fully debated, participate in committee hearings, and do our job as members of this Legislature. We're not prepared to take the six-month hiatus that this government is going to embark on come Thursday of this week. I say to this government: return to the assembly January 14 instead of June 14 and we'll debate this legislation.

Mr Steve Gilchrist (Scarborough East): It's really quite incredible that the member for Essex would dare to raise the issue of the democratic expression, given the amount of time that we've taken bills out on the road or debated in committee here. The shameful way that his government operated—the average time given to third reading in the five years of the Liberals was less than one hour. We've sat more time on committee, we've taken more committees on the road, we've spent more time on debate and we've sat more days in any calendar year than any government in the history of the province of Ontario.

I know the member for Essex doesn't like the results when we go out to the public and we listen to their views, and in this case it's the Association of Municipalities of Ontario. That, to refresh the member's memory, is the group that represents virtually every one of the 447 municipalities in Ontario. That would be a majority. That would be the kind of standard we're supposed to operate to in a democracy.

Now, I know that your standard was just to listen to the fat cats on Bay Street and the developers that fatten your wallets, but the bottom line for us is to listen to the people all across Ontario. We're the folks who have more paid-up members in the party. We're the people who really are the party of the grassroots. We've demonstrated that every single month we've been here: more hearings, more time for debate. This bill is no exception. The time has come, after six months of allowing people the chance to comment—what a radical thought, eh? Imagine having it out there for the public to actually ruminate on and give their observations back. I'm sorry that that's not enough time for you. But every group that has a vested interest in this project has had their say. There's no reason to belabour this. The time has come to pass this bill.

Mr Bradley: Is there anything the member from Scarborough East doesn't know? I mean, he's just perfect. On the government side, he's more than an adherent. He is a—I can't even say disciple. He is a zealot, a driving force on the government side.

Talking about years gone by, I want to explain to him why there was so little time needed for third reading, and the member for Carleton, my good friend Norm Sterling, will confirm this: it's because the legislation was so good when it was brought forward in those days.

Interjections.

Mr Bradley: The NDP will tell you. They agreed with it. They voted for all the legislation between 1985 and 1987. They voted for it. They will tell you how good the legislation was.

When my friend the member for Essex talks about needing more time, it's because of the nature of the legislation brought forward. We're trying to help you. You may not realize that, but we in the opposition are trying to help you craft better legislation. Surely, from the input we've had from members of the opposition this evening, you will want to modify the bill further. You'll have to ask for special permission, which we will grant you, to go into committee of the whole—I know the government always wants to go into committee of the whole—and perhaps, even though we've been this route once, we can bring forward those amendments and the parliamentary assistant, who was forced to vote against them in committee, will in a more ecumenical sense be prepared to support them. That's what the member for Essex was saying in his speech this evening, and I agree with it.

Mr Bisson: First of all, to the member from Essex, I think he gave a quite good presentation on the issues as he saw them, both pro and con, when it comes to this bill.

But to the government I would like to repeat what our House leader said to you directly: you're the ones who are in charge of what happens in this House, you're the ones who decide what legislation is going to get called when, you're the ones who set up the order. All of a sudden in the last week of the House, you find yourself in a panic trying to pass everything and shove still more legislation into the hopper every minute we come into the

House. We say to you, listen, if there are bills out there that you think are so important and that we need to pass, call the House back on January 15. It's real simple. We New Democrats are prepared to be here as of January 15, and if you want to sit until July 1, we are prepared to be here from January 15 to July 1 to deal with whatever bills you bring forward. But to come in here and in a haphazard way invoke closure and do all the types of things you're trying to do to pass bills is really not a good thing for us to be doing from the point of view of democracy.

One of the members on the other side commented that back in the time of the Liberal administration and the NDP administration, and Davis before that, bills were passed through the House with shorter readings. There was a reason for that. I would disagree with my friend Mr Bradley; it was not because everybody loved the bills. The issue was that there was real negotiation between the parties. There was actually some camaraderie around this place, so we were able to get the government's agenda through the House with a bit of horse-trading with the opposition parties.

You guys figure you have an unfettered right to govern. The public be damned and the opposition be damned; you will do what you darned well please. And you wonder why we get upset? We have issues that we want to talk about on this bill. There are some issues that need to be dealt with, and you are unwilling to make the amendments. Yes, we will use our time to put forward to you what we think is wrong with this legislation.

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The Speaker: Response?

Mr Crozier: I would like to thank the members from Niagara Centre, St Catharines and Timmins-James Bay for their comments. I want to say to the member from Scarborough East that with his record in this place, he's one of the four I'm least likely to take any advice from.

I merely wanted to point out this evening that an important bill like this should have been dealt with some time ago. I also wanted to point out that when and if it is passed—and it will be passed—the municipalities shouldn't expect to receive a cheque in the mail the next day, and it's an absolute shame that they aren't going to receive, as part of that cheque, a contribution from the provincial government. As I said in my comments, this government, as is evidenced by the way the member from Scarborough East went on, is better known for putting up its mouth than its money.

The Speaker: Further debate?

Mr Rosario Marchese (Trinity-Spadina): I was really afraid I wasn't going to get my chance to speak here tonight. I welcome the taxpayers of Ontario tuned in to this political channel. It's 10 to—no, seven to. I won't even get to do my 10 minutes. A mere seven or eight minutes are all I have to comment on this bill.

To hear these members lamenting the fact that we are not letting the bill go through—they want us to capitulate on almost every bill they introduce in this place. They don't debate. We are the only ones debating this evening.

I've got to tell you, taxpayers of Ontario, this is the same group that has about 21 bills they still need to get through. They may have already passed two or three, so they've got 17 or 18 bills to get through in the next couple of days.

Of course they want the enemy on the other side to capitulate, and of course they will blame the NDP should we not give in to the most modest demands made by the government. They have these wonderful bills that they want to pass, and the NDP is the culprit obstructing these presumably epic bills, these bills of epic proportions. To hear some of the members speak on this bill, it's like one of the Herculean tasks, one of Hercules's seven tasks. To hear them, this is one bill of epic proportions; my God, nothing can compare to what this government has presented here tonight.

It's a bill that mostly deals with recycling. When you look at the hierarchy of reduction and reusing and recycling, there is barely a mention of reduction and reusing in this bill. Yes, it's about recycling, mostly. The member from Scarborough East says, "The municipalities want it. They all want it." Yes, they do want it, and I've got to tell you why. They want it because they've been starving municipalities for years and years, and all of a sudden this government says, "You're going to get some money," which comes mostly out of the industry sector. Any municipality would be foolish to give up the modest amount of money that would come out of this program; they'd be nuts. Of course they'd be nuts, and of course they want it. This government isn't very generous when it comes to giving money away to anybody.

This is a program that flows some money, but not from the government, as the member from Northumberland-Norfolk-Brant commented earlier. To hear him say it, you'd think this bill is the most progressive bill we've ever seen as it relates to the environment. But there's nothing here that speaks to the issue of the diversion of waste that can mostly be dealt with through composting. There is no comment at all on the issue of composting, none whatsoever, and that, of course, is a major part of what we should be doing as a government, in terms of educating the public that composting is something that every individual and most Ontarians ought to be committed to. What is the role of government except to lead on these issues?

But when it comes to real waste diversion, there's no leadership from this government. Where is Ted Barrett from Haldimand-Norfolk-Brant on this issue? He's nowhere. Where's the government on this issue? Nowhere. Where's the member from Scarborough Centre on this issue? They don't talk about it. All they say is, "This bill is great. Opposition, get out of the way." Even if it's modest in its proportions, and contrary to the manufacturing of this bill as if somehow it were manna from heaven, it's but a modest bill that deals with the recycling issue. Ted, you know it. Please present it that way, in such a modest way, and then we don't complain as much.

But to hear you and the former Minister of the Environment saying, "This is great. We've got to move on. Nobody else thinks this is bad except the opposition"—of course nobody else thinks it's bad, because nobody has an opportunity to debate bills. Very few people have an opportunity to debate any bill in this place. You know, Speaker, and Ted knows it, that the majority of bills get one or two days of hearings in this place. When you've got so many bills that you, Ontarians, taxpayers, are burdened with, which bill do you decide to follow? Which bill do you decide to open up and say, "This is my bill. This is the one I'm going to follow"?

Twenty-one bills are before us, Madam Ecker, and they want us to get rid of these bills in undue haste. We want debate. Madam Ecker, come back. We want debate. That's what we want as an opposition party, and we expect and demand the same of the government. I say to you, stand up and defend your bills, but not with all the blah, blah, blah about how your bill is great and how unprecedented it is in terms of, oh my God, how the environment will be saved because of it. Please. It's a modest bill about which, under normal circumstances, we'd say, "Yes, move on. Let's get on to the next bill."

But we as an opposition have a duty to highlight some of the problems contained in this bill. They have language that says, "A waste diversion program developed under this act for a designated waste may include the following"—not "shall" but "may include the following." You wonder why "may" is included as opposed to "shall" if they consider it to be so important. And what are these activities? They are:

"1. Activities to reduce, reuse and recycle the designated waste." Good, interesting, but why "may include" as opposed to "shall include"?

"2. Research and development activities relating to the management of the designated waste." Why "may" as opposed to "shall"?

"3. Activities to develop and promote products that result from the waste diversion program." Why "may" as opposed to "shall"?

Mr Gilchrist: You're repeating yourself.

Mr Marchese: "4. Educational and public awareness activities to support the waste diversion program." Why, Scarborough Centre, am I repeating myself? Because I need to say it to you over and over again because you don't listen, because you and the other lackeys in this place don't listen. It's because you think this bill is so great that I've got to tell you, member from Scarborough Centre, that you may not know the language includes, former Minister of the Environment, "may" as opposed to "shall."

If you believe it's important, then include the right language. Fight for that. Stand up and say that. Argue why it is that you don't have "shall" as opposed to "may." Stand up and do something. Don't just stand here for two minutes and blah, blah, blah about how great your bill is. Stand up and defend the contents.

Speaker, I'm looking at you and you're looking at me. Are we running out of time here? We've got time? Very good.

I'm saying to the member from Scarborough Centre and the former Minister of the Environment, Mr Newman, and others, stand up and say something meaningful about this issue. Stand up and argue why it is that in the language around this particular matter, which municipalities spoke to—they said the bill should stipulate that municipalities would get at least 50% of their net operating and capital costs. We argued for that, members of the committee, and those who came to depute argued for this. The government, of course—it took some time, but at least they changed the language that guarantees they would get funding equal to 50%. At least they made an effort to make it appear like 50% of the contribution would be made, at least that. But it's language that is very vague. It says "equal to" as opposed to "at least" 50% of their net operating and capital costs.

The point we make and the point the deputants made there is that—

Mr Kormos: On a point of order, Mr Speaker: I believe it is past 12 of the clock, sir.

The Speaker: I've got 12:01. I'm always a minute or two fast, but it being almost 12 of the clock, this House stands adjourned until 1:30 tomorrow.

The House adjourned at 0001.

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Second Session, 37th Parliament

**Assemblée législative
de l'Ontario**
Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 11 December 2001

Mardi 11 décembre 2001

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
Claude L. DesRosiers

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Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 décembre 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

SPECIALISTS' SERVICES

Mr David Ramsay (Timiskaming-Cochrane): The Timiskaming Municipal Association is asking the Ontario Ministry of Health and Long-Term Care to make a commitment to fund the visiting specialist clinic program at the level of days designated in January 1999. The TMA wants the ministry to commit to this level until a policy decision is made to establish an efficient and effective model for delivering specialist clinics.

The TMA, which met in Earlton the other day, believes that the changes in the program that have been recently implemented are going to threaten to reduce the availability of visiting clinicians to the hospitals in the Timiskaming area. The planning, management and delivery of medical specialists' services has already been impacted because the ministry is not providing a long-term-care policy nor stable funding for these clinicians.

It's a very important matter for those of us who live in isolated areas and small towns that don't have readily accessible specialists' services. We rely on this program to bring the specialists to us. As you know, in northern Ontario we have the health travel grant, but that's a lot of money being expended and a lot of time being wasted as a lot of our patients have to go to centres like Sudbury and, in the northwest, Thunder Bay to receive those services.

It makes efficient use of everyone's time to bring the visiting specialist to our centres and it saves the government money, but there's a total lack of coordination in the Ministry of Health in funding access to specialists. We need to get that coordination, and the way to do that is to let northerners make these decisions for themselves.

GOOD NEIGHBOURS CAMPAIGN

Mr Gerry Martiniuk (Cambridge): In my riding of Cambridge, a long-standing institution, Gmelin Flowers, has organized a Good Neighbours campaign dedicated to help the families of the victims of September 11 and those involved in the relief efforts in Afghanistan. The campaign is symbolized by this rather pretty ribbon of three colours, along with the Canadian flag in the middle.

Gmelin Flowers and a group of dedicated volunteers have, to date, raised over \$25,000 in donations for this

important cause, to be distributed through the Canadian Red Cross.

I would like to thank everyone who has donated to the Good Neighbours campaign, and especially acknowledge the rotary clubs in Cambridge for their support: the Preston-Hespeler Rotary Club, the Galt Rotary Club, the Cambridge North Rotary Club, the Cambridge Sunrise Rotary Club and the Kitchener-Conestoga Rotary Club. They have all put forth a tremendous effort.

This important project has been a huge success due to the hard work of dedicated organizers, strong community response and countless hours put in by volunteers such as my good friends Dede, Carl and Bob Gmelin, David Mitchell, Diane Cooper, Kathy Murphy and Donna Diamond, just to name a few.

This campaign is a true example of what makes Cambridge and Ontario a great place to live. I hope everyone will support the Good Neighbours campaign.

HOSPITAL RESTRUCTURING

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): In my community we are struggling with a made-in-Toronto solution: plans to restructure our hospitals. I think the city, the united counties, the local hospitals and the provincial government need to sit down and actively discuss the possibility of a brand new hospital. I would be more than willing to facilitate the process.

Three years ago the government's hospital closing commission went against the local committee and told us that one of our hospitals would have to close to acute and chronic care patients, and the other would have to have substantial renovations. Since that time the estimated cost of the restructuring has ballooned to close to \$67 million, and our community has been told that they have to come up with \$20 million to pay for the decision, a decision that was forced on them by the government.

Every day I hear from constituents who feel the only way the community will raise \$20 million is to go for a brand new hospital, a state-of-the-art facility. Hardly anyone wants to pay for expensive renovations of an old building that will likely be inadequate to meet the needs in a few short years. And nobody who has spoken to me wants the municipality to have a tax levy for the renovations.

Two weeks ago I asked the Minister of Health to make a commitment to the people of my community. I asked him whether or not he was prepared to provide new money before Christmas. Well, Christmas is two weeks

away and nothing has changed. My community is still on the hook for \$20 million for a decision that was made in Toronto, and the only thing this government is committed to is big corporate tax cuts and \$234 million worth of government advertising. The government is not committed to working families in the province.

RAMADAN

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): The month of Ramadan is drawing to a close. Ontarians of the Islamic faith will soon be celebrating Eid ul-Fitr.

During the month of Ramadan, over 14 centuries ago, the word of God, which we refer to as the Qu'ran, was revealed to the prophet Muhammad. Peace be upon him.

Ramadan is a time of fasting. This fasting is one of the five pillars of Islam. It is an act of self-purification and self-discipline, to become more conscious of God and of the suffering of other human beings.

The Eid celebration comes with the new moon. This weekend, Muslims all around the world will be celebrating Eid ul-Fitr. Families in Ontario will be among the celebrants. Ontario has a growing and vibrant Muslim community. More and more Ontario Muslims are descended from immigrants, but are themselves born and bred here in Canada. And that means that Eid is becoming more and more a part of the fabric of Canada's multicultural holiday season. There will be Eid parties, people will share gifts with each other, and especially with the poor and less fortunate in the community. They will be thankful to God for the health, strength and opportunities that he gives.

To Ontario's over 300,000 Muslims, I wish Eid Mubarak, or a blessed feast.

INTERNATIONAL ADOPTIONS

Mr Joseph Cordiano (York South-Weston): Back in March 2000, the Minister of Community and Social Services levied a \$925 head tax on international orphans. The head tax was nothing short of discriminatory. The processing of these adoptions occurs in the child's country of origin and the tax is only levied on those adoptions finalized outside Ontario.

In September 2000, I introduced a private member's bill designed to rescind this head tax, and it passed second reading with the support of five cabinet ministers. This government should do all it can to honour the families that are adopting internationally. They make a huge financial and emotional commitment to raise a family, and this head tax is nothing but offensive to them and to their families.

As we near the end of this session, I call on the government to pass this act because my private member's bill would provide tax relief for families being charged intercountry adoption fees. Other jurisdictions, including Quebec, provide internationally adopting families with \$5,000 in tax relief. The tax relief I am proposing will

require less than \$1 million in total. Your education tax credit, the tax credit that you will provide for private schools, will cost \$500 million. You have the money to support private, wealthy schools but you don't have the money to support hard-working families.

Do the right thing. Move my private member's bill immediately, as it will implement the tax credit for these hard-working families. These families deserve nothing less.

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COMMUNITY CARE ACCESS CENTRES

Mr David Christopherson (Hamilton West): This government yesterday rammed through another closure motion—and of course we'll be dealing with yet another one this afternoon—on Bill 130, which is the government's provincial takeover, and a hostile one at that, of the CCACs. In the process of the debate, I've heard an awful lot of government members pointing to the review of the service in Hamilton. To be sure, there were structural problems that needed to be addressed, but in defence of the Hamilton CCAC, let me put a few things on the record.

First of all, the people who were on that board—I know most of them—were good people who cared about the clients, who cared about our community and cared about providing the kind of services that CCACs are mandated to do. Secondly, before this government could step in and do anything about changes in the Hamilton CCAC, they had to cough up more money. At the end of the day, that's the core problem: not enough money.

When you've got a group of people who have to make decisions that in some cases are close to life and death and there's not enough money, no matter what they decide, in part it's going to be the wrong decision because all the needs aren't being met. Further to that, the managed competition has been a total disaster. All it's doing is pushing non-profits like SEN and VON out of the home care service business, where they have been for decades providing an excellent service.

Before you go pointing fingers and saying, "That's why we have to do this across the province," take a close look at your underfunding for home care in this province.

FEDERAL HEALTH SPENDING

Mr Ted Arnott (Waterloo-Wellington): Canadians consider health care to be their most treasured social program. Citizens want their governments to understand this and make health care the number one spending priority. Unfortunately, the government of Canada doesn't understand the priorities of Canadians, because yesterday the federal budget dismissed the concerns of Ontario residents by allowing federal underfunding for health care to continue.

The facts are clear. The Ontario government's operating spending has increased by \$6.8 billion since 1995, and 90% of that increase was given to health care. As

compared to the federal funding levels in 1994, the federal cuts to health care represent \$2 billion per year in Ontario alone. The federal government has increased overall spending by 9.4% in this budget and they did so, to quote the Premier from today's *Globe and Mail*, without "one cent for Canadians' number one priority, which is health care. I do think it's wrong," he said. I say the Premier is absolutely correct.

I introduced a private member's resolution in this House two years ago that addressed the fact that the federal government was not paying its fair share for health care. In it, I called for a full restoration of the funds that were cut and the establishment of an escalator clause to increase funding to match rising costs such as those needed to take care of an aging and growing population.

With the support and leadership of the former Minister of Health, Elizabeth Witmer, a similar government resolution was brought to this House on April 2, 2000, with the Premier leading off the debate and vigorously defending Ontario's interest. On April 13 of that year, all members of this Legislature supported my resolution and it passed unanimously.

Although yesterday's federal budget demonstrates a lack of understanding, I remain optimistic, for Ontario is not alone in our sentiment. There is an outcry from provinces across Canada, and they continue to voice the need for fair funding for health care. The federal government will have no—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

PUBLIC SAFETY

Mr Pat Hoy (Chatham-Kent Essex): Today I want to bring a very serious issue to the attention of this House and of the citizens of Ontario.

Recently I've been working with the grieving parents of children whose deaths were preventable. These parents have been fighting the coroner's office for measures that would ensure that an inquest would be automatic for such deaths in schools, in hospitals, on provincial roads or in any provincial public body.

When public safety is at risk because of deficiencies in any provincial public sector entity, the recommendations of the coroner's jury must be mandatory. For grieving parents who have experienced the tragic and senseless loss of a child, solace and sometimes peace can be found in changing the system to protect others: maybe your child or loved one. This is a very noble motivation, and I am honoured to introduce a private member's bill today to help them achieve that goal.

I want to thank Mike and Brenda Neuts and Nancy Brown for their support of this bill. I hope that for once—just for once—this government will put aside their partisan politics to support this bill to help save lives.

Jeffrey Brown died because of a preventable medication error and young Miles Neuts was a victim of a

senseless tragedy in the bathroom of his Chatham school. When a coroner's jury makes recommendations to protect the public, they must be implemented regardless of cost and regardless of any internal politics or shameless damage control by this government.

FEDERAL HEALTH SPENDING

Mr Bart Maves (Niagara Falls): I tentatively stand today to applaud the security measures announced by the federal government in yesterday's budget. I am encouraged by the funding for border safety finally announced after years of neglect.

However, at the same time, I must also condemn yet another anemic performance by federal Health Minister Allan Rock. Once again, no new federal investment in health care.

In 1993 the Mulroney federal Tory government contributed 18 cents toward every dollar spent on health care in Ontario. The federal Liberals have since decreased that funding to 11 cents out of every dollar. Thanks to Premier Mike Harris, the Liberals have started to increase their share. It's now at about 14 cents out of every dollar—still far below what it was in 1993. Initially, I want to point out, health care was funded 50-50 between the federal government and the provinces. We are only asking that the federal government reinstate funding to 1993 levels.

We are not alone. Let me quote New Brunswick Premier Bernard Lord: "The big story is what's not in the budget. What's not in the budget are additional investments for health care." The PQ finance minister says, "Nothing for health care. Nothing for transfer payments. Martin wasn't swayed by the unanimous demands by the provinces." The NDP Premier of Saskatchewan: "Like every other Premier, I was hoping to see some movement on a commitment to greater resources to health and it just wasn't there." Shame on the federal Liberals.

VISITORS

Mr Ernie Parsons (Prince Edward-Hastings): On a point of order, Mr Speaker: I would like to introduce and welcome, in the visitors' gallery, Peter Callaghan and a group of third-year business students from Loyalist College. I can only hope they forget what they see here today.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON ESTIMATES

Mr Steve Peters (Elgin-Middlesex-London): I beg leave to present a report from the standing committee on estimates.

Clerk at the Table (Ms Lisa Freedman): Mr Peters from the standing committee on estimates presents the committee's report as follows:

Pursuant to standing order 60(a), the following estimates (2001-2002) are reported back to the House as they were not previously selected by the committee for consideration and are deemed to be received and concurred in:

Office of the Assembly:

201 Office of the Assembly program, \$89,449,700;

202 Commission(er)'s program, \$9,935,400.

Office of the Chief Election Officer—

Interjections: Dispense.

The Speaker (Hon Gary Carr): Dispense? Dispense.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Ted Chudleigh (Halton): I beg leave to present a report from the standing committee on general government and move its adoption.

Clerk at the Table (Ms Lisa Freedman): Your committee begs to report the following bill as amended:

Bill 129, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 129, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

CORONERS AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI SUR LES CORONERS

Mr Hoy moved first reading of the following bill:

Bill 150, An Act to amend the Coroners Act to require that more inquests be held and that jury recommendations be acted on / Projet de loi 150, Loi modifiant la Loi sur les coroners afin d'exiger qu'un plus grand nombre d'enquêtes soient tenues et que les recommandations du jury soient appliquées.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Pat Hoy (Chatham-Kent Essex): This bill, on behalf of grieving parents in my riding, would require an automatic inquest when preventable deaths occur in Ontario's public domain. When public safety is at risk, this bill would also require that the recommendations of a coroner's jury be implemented.

1350

TORONTO WATERFRONT REVITALIZATION CORPORATION ACT, 2001

LOI DE 2001 SUR LA SOCIÉTÉ DE REVITALISATION

DU SECTEUR RIVERAIN DE TORONTO

Mr Flaherty moved first reading of the following bill:

Bill 151, An Act respecting the Toronto Waterfront Revitalization Corporation / Projet de loi 151, Loi concernant la Société de revitalisation du secteur riverain de Toronto.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The Minister of Finance for a short statement?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I'll make a minister's statement.

ORDERS AND NOTICES

Mr Dwight Duncan (Windsor-St Clair): Mr Speaker, I rise pursuant to the standing orders dealing with the Orders and Notices paper. You'll note in today's Orders and Notices paper that under "Orders of the Day," the matter to be considered this afternoon, in roughly an hour and a half, is "to be announced."

I've just been informed by the government House leader a few moments ago that the government intends to call time allocation on Bill 30, which they gave us notice of yesterday. However, we have a problem that requires your attention.

Clause-by-clause consideration of Bill 86 was not completed in committee this morning. Our members on that committee want the opportunity to finish that clause-by-clause consideration. The dilemma we have in the opposition is that if the time allocation motion on Bill 30 is called this afternoon, we would not be able to agree to do the clause-by-clause on Bill 86, because our critic would effectively have to be in two places. We think that is not the proper way to do business. It's very clear in the standing orders. It's very clear that the government is attempting to put us in a position of saying no to a bill which quite frankly we'd be prepared to support if it was given due consideration.

Accordingly, Mr Speaker, I would ask two points of order: first, why would we even publish an Orders and Notices paper if probably the most important element of the day is left "to be announced"?

Second, we need your intervention to protect the opposition's ability to discuss legislation in a meaningful way. Failing that, we in the official opposition would be prepared to introduce a motion now to allow the House to sit next week and to allow the House to sit in January.

We are being put in a position where approximately 12 minutes ago we were told what the item to be considered today is. How are we supposed to function

effectively as a Legislature if we don't know what matter is going to be discussed in the House on any particular afternoon until an hour before we're supposed to discuss the matter? We need your help, sir.

The Speaker (Hon Gary Carr): I thank the member. The government House leader on the same point of order.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, just to respond to the honourable member, as he well knows, in the last days of the Legislature there are a number of matters that all three parties are interested in discussing. We've been attempting to work out arrangements for a number of pieces of legislation. I appreciate the fact that sometimes the notice is shorter than we would all like it to be. But as he well knows, having been House leader many times, there is an attempt to try to see if we can focus the time of the House on bills that all three parties think are most important, and others might well carry over to the spring session, to be dealt with at that time.

The other thing I would like to say, as the House leaders of both parties are aware, having had a conversation with them just earlier: it was certainly my intent to seek unanimous consent of this House to finish clause-by-clause of Bill 86, the youth prostitution bill, this afternoon. Originally, they had thought they could be finished this morning. They were not able to be finished. I appreciate that there's great interest in this bill. I had thought that it might be helpful if we could finish clause-by-clause on it this afternoon and was prepared to ask for unanimous consent of the House to do that. It is certainly the purview of the other two parties whether to agree or disagree with that procedural issue.

The Speaker: The member for Niagara Centre on the same point of order.

Mr Peter Kormos (Niagara Centre): Indeed, and the reference of course is to 69(d) of the standing orders.

Look, the government knows what the committee's agenda is. The government chooses what to call in orders of the day. The rationale for 69(d) is so that a critic, for instance, doesn't find himself or herself split between two obligations. It's not a matter that can be resolved so readily as is presumed by unanimous consent, because unanimous consent doesn't resolve the conflict that a critic has; it's one of government exercising its choice. The rule is there to preserve the orderliness of debate, the orderly passage of matters through committee as well as the House, and the committee should expect to be bound by 69(d) come 3:30 or orders of the day this afternoon.

The Speaker: I thank the members for all their input. The House leader for the official opposition will know that the government is at liberty to call anything on the order paper. There is no requirement to indicate daily business in advance. I know at these times when discussions are going on with the House leaders there is a tremendous give and take back and forth, but there is no requirement.

Also, the committee consideration: nothing is now out of order. If the order is called this afternoon and that same policy field is being discussed in the committee, then it can be raised in the committee dealing with that

matter, and I'm sure the committee Chair and the committee will deal with that. So the proper place to raise that would be, if the order is called and there is other consideration, to raise it in the committee.

I thank all the House leaders for the points they made on this point of order.

Hon Mrs Ecker: Concerning Bill 86, youth prostitution, I seek unanimous consent to move a motion respecting standing order 69(d) and the standing committee on justice and social policy and that the question on the motion be put immediately without further debate or amendment.

The Speaker: Is there unanimous consent?

Interjections.

The Speaker: That was very clear. Thank you.

Interjection.

The Speaker: Believe me, he just happened to be the loudest. Right behind him there was another no. The member for Windsor-St Clair?

Mr Duncan: I seek unanimous consent to introduce a motion to extend the House calendar to allow the House to sit next week and into January, if necessary.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes again.

STATEMENTS BY THE MINISTRY AND RESPONSES

TORONTO WATERFRONT

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I am pleased to announce today the introduction of enabling legislation to establish a permanent Toronto Waterfront Revitalization Corp, delivering on an earlier provincial commitment to take the lead on this important initiative. It's the next step in realizing our shared vision for the revitalization of the Toronto waterfront.

The proposed Toronto Waterfront Revitalization Corporation Act, 2001, would achieve a number of important purposes, including enabling the city of Toronto to participate in the corporation and any subsidiary corporations that may be established and providing a broad outline of the corporation's purpose, powers and mandate.

It also provides a framework for future decisions regarding the corporation in such key areas as business planning, financial accountability and annual reporting requirements.

In that regard, the province will continue to work cooperatively with the federal government and the city of Toronto, our partners in this venture, to develop regulations and agreements to further empower the corporation in the months and years ahead.

The proposed legislation also sets out the structure of the corporation, providing for a publicly appointed board of directors.

1400

It also enables a smooth transition from the current interim waterfront corporation, which was announced November 1, 2001, to the permanent entity being proposed today. Robert Fung, the author of a high-profile report on the future revitalization of the waterfront, is the chair of the interim corporation and will also become the chair of the permanent corporation.

As members know, in October 2000, the Ontario and federal governments and the city of Toronto announced a total investment of \$1.5 billion, \$500 million each, to revitalize and transform the Toronto waterfront. Under the proposed legislation tabled today, a permanent waterfront corporation would be charged with the responsibility to leverage the three governments' initial investment to become financially self-sufficient and to attract private sector investment to the waterfront area. To ensure accountability, the corporation would require approval of the three governments to borrow funds, mortgage its assets or generate revenues.

As I stated in budget 2001, the province is making a \$500-million investment through SuperBuild to revitalize the Toronto waterfront, strengthen the city's international competitiveness, and create jobs and neighbourhoods in its downtown. Waterfront revitalization will be an opportunity to put into practice the main principles of the province's Smart Growth initiative: to build strong communities with strong economies and a safe and healthy environment.

The waterfront revitalization project is also an excellent opportunity to make full use of the province's brownfields redevelopment initiative that is designed to facilitate the transformation of derelict and contaminated land into vibrant, productive uses.

The waterfront revitalization corporation would be responsible for developing business strategies, implementing projects and championing innovation to achieve the three governments' goal of revitalizing Toronto's waterfront in a financially self-sustaining and environmentally responsible manner. These are the principles underlying the city of Toronto's proposed central waterfront plan. The waterfront revitalization corporation would be required to undertake its responsibilities in a manner consistent with Toronto's plan, once it's approved by city council.

The proposed legislation also envisions that a permanent waterfront corporation would focus on creating an accessible and active waterfront for living, working and recreation; promoting and encouraging private sector involvement in waterfront development and redevelopment; and encouraging public input in the development plan.

We have lost no time moving forward with this critical economic and urban renewal initiative. The interim corporation is already mandated to begin work immediately on long-term business and development plans. To kick-start the renewal process, the interim corporation will

soon launch four initial capital projects worth a total of \$300 million that are tied to Toronto's central waterfront.

Today's announcement underlines Ontario's strong commitment to revitalize Toronto's waterfront and to continue to work co-operatively with our federal and municipal partners through the proposed Toronto Waterfront Revitalization Corp to realize our shared vision.

The Speaker (Hon Gary Carr): Responses?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to respond on behalf of my leader, Dalton McGuinty, and our caucus, first to say that this is an extremely important asset for the city of Toronto, and all of us appreciate the importance to the future of the city of Toronto that it be developed well. We only really get one chance, certainly in a generation, at our waterfront, and it's extremely important not just to the city of Toronto but in many respects to Ontario that this be done very well.

So we're very supportive of the plans to regenerate the waterfront and recognize it as a significant economic asset to the city of Toronto, and we look forward to debating the legislation to ensure that it fulfills the mandate that I think all the people want for the city of Toronto. We're pleased that Mr Fung, with a very good reputation, appears to be prepared to take on the chairmanship.

We'll be very supportive of positive moves that allow the city of Toronto to substantially enhance our waterfront. As I said, urban environments around the world treasure their waterfronts, and I look forward to an outstanding development there, and frankly I hope an improvement on what took place in the rest of the waterfront in the city of Toronto.

I will express several questions as we proceed with this; one is in terms of the resources. If you look at the 2000 budget, the province budgeted about \$200 million for what was called the SuperBuild millennium fund, designed to move projects like this ahead. When you look at what happened, I think \$14 million of the \$200 million was spent. For those of the public who care to look, the capital budget of the province of Ontario for this year is the smallest it's been in at least 20 years. It's under \$2 billion, and there's a modest amount in the budget this year for the project we're talking about today. I always say I spend more time watching what the government does than listening to what they say, and so I would just caution us to follow the money.

The second thing is that there's much mention in here of private-public sector partnerships along the waterfront, which we look forward to with interest. The one private-public sector partnership that this government embarked on was the 407. We think there's considerable evidence that the 407 owner benefited substantially. The 407 deal closed on May 5, 1999, literally the day the election was called, and it provided a \$1.6-billion slush fund for the government's re-election platform. But the 407 users, the people we are supposed to be here representing, have been ripped off. I reinforce that for us, because that has

been the government's centrepiece of private sector partnerships. In my opinion, and in our caucus's and our leader's opinion, the government of Ontario did not look after the people we were elected to look after, and that is the taxpayers. They were left out to dry.

The third thing about the legislation that we will be interested in is transparency. I said earlier in my remarks that the waterfront is an enormous asset and we only really get one crack at this in a generation. I would hope that the legislation, which I just received literally five minutes ago, provides for some public transparency, that what takes place on the waterfront shouldn't be done behind closed doors and without the opportunity for the public to have input and to understand what's happening.

Again I go back to the 407. Our caucus has been fighting now for two years to find the details of what tolls are going to be charged on the road, which should be, in my opinion, a right of the public to know. As we look at this legislation, it is our hope that the waterfront development won't be done behind closed doors, out of the sight of the public, because after all, this is their asset, no one else's.

1410

Mr Michael Prue (Beaches-East York): The waterfront in the city of Toronto is and could be the jewel of the entire city. Today, though, if anyone wanders by there, if anyone has an opportunity to drive down or to look at the derelict factories, if you look at the Ataritari site that is so badly polluted that it is beyond use—it cannot be used for any public purpose—if you look at the pollution which is literally everywhere, the weeds that are growing through the cracks in the concrete, someone would wonder what this real jewel was.

However, there is an opportunity to move forward on that, and I welcome the government's tabling this legislation.

However, the lands are largely in public holding. The lands belong to the city of Toronto; the lands belong to the province; the lands belong to TEDCO and to the port authority. The lands already belong to the people and they need to be protected for the people. The city of Toronto is of course anxious to proceed. The city of Toronto is anxious to name the people and to have the legislation, I would assume, passed at some point in the future.

But I have to question and I need to know from the government, and we haven't heard this yet: when do they intend this to proceed? Are there going to be public hearings? Is there going to be transparency? Are the people of this city going to be allowed an opportunity to comment on this bill: who sits on the board of directors, what their plans are, where they are going to raise funds?

There was some rush, and I admit there may have been some rush had Toronto been successful in its Olympic bid. But as we all know, Toronto was not successful in its Olympic bid. We now have a bill which is setting up a corporation to redo the waterfront, and

we're thankful for that, but we need to know how fast this is going to be pushed through.

With the greatest of respect, subsection 13(1) of this particular legislation, and I did have an opportunity to read all of it in those five minutes—

Interjection.

Mr Prue: I did—sets out that the corporation will exist for 20 years; 13(2) sets out that the corporation can be extended for 25 years. If we are going to be doing this right, clearly, to set up a 25-year corporation, we should be willing to take the time to do it right. We need to protect those public lands. We need to make sure the public has full input. We need to make sure that those lands remain in public hands and are used for public purposes. We do not need to repeat the mistakes of the city of Toronto and the province and the federal government around the harbour front, where all of the prime public lands are now owned by condo owners. We do not want to see, and I think nobody in this House wants to see, those lands sold off to the highest bidder and have condos to the sky, blocking out the views of the people who want to come down and use those public lands.

We need to know that a smooth transition is going to take place, that the financial impacts of \$1.5 billion are going to be wisely spent.

We need to know and have an opportunity to figure out who the 13 members are going to be. Only nine of them are listed, and we need to know who the other ones are.

We need to know about the accountability and the financial reporting. Although it is set out in the legislation, it is vague and it requires regulations to flesh it out.

Everyone needs to know—and where is the reference within the legislation, the minister's statement, the compendium or anything else that is attached to this? Where is the reference to the city of Toronto's official plans, and must those official plans be followed? It is absolutely clear and crucial that the city of Toronto's official plans should have paramountcy, that the statements made by Robert Fung in what many consider a brilliant report on the waterfront are going to be followed, and not necessarily that in the rush to involve the private sector, large amounts of money are going to be made for building condominiums, possibly for building other structures. There was some discussion about gambling establishments and everything else that might be located there.

There needs to be discussion of where the transportation fits in and how the transportation is going to be actioned by the board of directors, how the environmental cleanups are going to take place, whether in fact affordable housing is going to be built anywhere on that site.

There need to be clear statements on how the instructions are handed down to the board of directors, although I do see in subsection 7(1) some reference to that.

There is the entire question of paramountcy that has to be asked. We have not yet signed a memorandum of understanding with the city of Toronto or any municipality or AMO.

All of that has to be decided, and I ask that we take our time in doing it.

DEFERRED VOTES

MUNICIPAL ACT, 2001

LOI DE 2001 SUR LES MUNICIPALITÉS

Deferred vote on the motion for third reading of Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities / Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1415 to 1420.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Gill, Raminder	Newman, Dan
Baird, John R.	Hardeman, Ernie	O'Toole, John
Barrett, Toby	Hodgson, Chris	Ouellette, Jerry J.
Beaubien, Marcel	Hudak, Tim	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clark, Brad	Johns, Helen	Spina, Joseph
Clement, Tony	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Wood, Bob
Gilchrist, Steve	Mushinski, Marilyn	Young, David

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Curling, Alvin	McLeod, Lyn
Bisson, Gilles	Di Cocco, Caroline	McMeekin, Ted
Bountrogianni, Marie	Dombrowsky, Leona	Parsons, Ernie
Boyer, Claudette	Duncan, Dwight	Patten, Richard
Bradley, James J.	Gravelle, Michael	Peters, Steve
Brown, Michael A.	Hampton, Howard	Phillips, Gerry
Bryant, Michael	Hoy, Pat	Prue, Michael
Caplan, David	Kennedy, Gerard	Pupatello, Sandra
Christopherson, David	Kormos, Peter	Ramsay, David
Churley, Marilyn	Lalonde, Jean-Marc	Ruprecht, Tony
Cleary, John C.	Levac, David	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Conway, Sean G.	Martel, Shelley	Sorbara, Greg
Cordiano, Joseph	Martin, Tony	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 48; the nays are 44.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ORAL QUESTIONS

MFP FINANCIAL SERVICES

Mr Dalton McGuinty (Leader of the Opposition): My first question today is for the Chair of Management Board. We have learned that since your government took office, you have paid MFP Financial Services \$425 million. That's a lot of money. We've also learned that every single provincial ministry has done business with this same company.

You will know that the alarm bells have been rung when it comes to dealings with MFP. Municipalities and other public institutions are in the process of reviewing their business dealings with this company. Some have launched lawsuits. We're hearing now about forensic audits. We've also heard of cases where contracts were actually being ripped up by people who entered into these contracts with MFP.

We think the responsible thing to do in the circumstances is to release the contracts your government has entered into with MFP, and at the same time give the Provincial Auditor an opportunity to review those same contracts on behalf of the public. Will you agree to that, Minister?

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): This is actually the same question that was asked by the member for Essex yesterday. If the Leader of the Opposition had been here yesterday, he would have known what the answer was.

When the member from Essex raised this originally back in October, both in a letter and also in a question in the House, I indicated at that time that I have asked my officials in Management Board to review these contracts and report back. They have reported back to me, and what I said yesterday is the same as I'm going to say today: they reported back saying that all contracts we have appear to be above-board, and certainly they have no legal disputes between them or any of our government ministries at this point in time.

I have confidence in our officials at Management Board. If the Leader of the Opposition has any information upon which he can base any allegation of anything that is untoward, I ask him and urge him to bring it forward. If not, if he is just speculating, I would urge him as well to cease doing that.

Mr McGuinty: Minister, what are you hiding? Why won't you just simply make these contracts available? Why wouldn't you simply allow the Provincial Auditor to review those and report to the public?

If you're looking for some facts, I have some for you. Brock University had its contracts with MFP revised. The region of Waterloo is suing MFP. Windsor yanked a \$2-million leasing agreement from MFP and is now conducting a forensic audit. Essex-Windsor Solid Waste Authority is conducting a forensic audit of its contracts. The Union Water System is conducting a forensic audit of its contract with MFP. There is smoke out there.

We think the responsible thing to do under the circumstances is make public the contracts you've entered into on behalf of the government and ensure that the Provincial Auditor has an opportunity to review those same contracts and provide us with the reassurance you are trying to give us here but which we don't accept. We want the Provincial Auditor to take a look at these contracts. Why won't you allow that?

Hon Mr Tsubouchi: I might inform the Leader of the Opposition that the Provincial Auditor certainly has the right to go into whatever areas he decides to, as you full well know. In his year 2000 report, the Provincial Auditor recommended to MBS that we formally assess the desirability and cost-effectiveness of leasing IT equipment, follow a competitive process, work with ministries to ensure competitive prices are achieved through implementation of the proposed total-cost-of-ownership concept.

The Deputy Minister of MBS responded in the report and recently wrote to the auditor outlining how MBS will achieve lower costs for desktop computer systems, regularly evaluate equipment pricing, continue with public-service-wide training programs, implement government-wide vendors to get the best value for the money.

I've asked the ministry to review these contracts. They have come back and are satisfied that these contracts are legitimate—

The Speaker (Hon Gary Carr): The minister's time is up.

Mr McGuinty: Minister, you should know by now that your blithe and bland assurances really have very little meaning. What we want to happen here is to have the Provincial Auditor, who is on the side of taxpayers in Ontario, on the side of working families, take a very close look at these same contracts. Why can't he do that?

Let's understand again what we're talking about here. Every single ministry has done business with MFP Financial. Your government has already paid them \$425 million. We're talking about contracts that over the long term, 20 and 30 years out, are going to cost us in the neighbourhood of billions of dollars. We already know that lawsuits are mushrooming around the province of Ontario. We think the responsible thing to do in the circumstances is not to have you bury your head in the sand; instead, we think the appropriate thing to do is make the contracts public and give the public auditor a chance to look at the same documents.

Hon Mr Tsubouchi: I prefaced the last answer by indicating that the Provincial Auditor has the right to enter into any type of investigation or review he desires to do.

I guess the Leader of the Opposition doesn't like a bland response. The fact of the matter is, and what I'm indicating is, there is the Provincial Auditor's report for the year 2000. That's what I'm talking about. You want the Provincial Auditor involved. These are his recommendations. The Deputy Minister of MBS reported back to the Provincial Auditor in response to this report indicating that these are good points that the Provincial

Auditor was making and that the government was complying with his advice, which is the prudent thing to do, quite frankly.

If the Leader of the Opposition has any information, please bring it forward. We will be interested in seeing that. But as I said before, the Provincial Auditor has every right to do this. This is his job. If he does embark on any type of review, of course all ministries of government will comply.

1430

HIGHWAY 407

Mr Dalton McGuinty (Leader of the Opposition):

The question is for the Minister of Finance. Just days before calling the last election, your government made a very specific promise to motorists in the 905 area. You told them that while you were selling the 407, you would do everything you could to protect them against unfair and outrageous toll hikes. I can tell you that during the past two years what has happened to motorists in the 905 travelling the 407 is that they have in fact been subjected to outrageous and unfair toll hikes.

When is it that you decided, Minister, because it's important for us to know now, that you were going to be on the side of the highway owner as opposed to on the side of the motorists?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): Mr Speaker, the Minister of Transportation.

Hon Brad Clark (Minister of Transportation): I thank the leader of the loyal opposition for the question. I have a question for the Leader of the Opposition. I have in my hand a study commissioned by the David Peterson government in 1989.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: We ask the questions. They're supposed to answer them, not—

The Speaker (Hon Gary Carr): That's not a point of order. Take a seat. Minister, sorry for the interruption.

Hon Mr Clark: Here's what the government under the Liberals proposed regarding Highway 407. Your study, sir, found that in order to finance an eight-and-a-half-kilometre section of Highway 407, toll rates would have to be \$1.86 for automobiles and \$9.30 for trucks. That works out to 22 cents a kilometre and \$1.09 for trucks. Your deal under your government was outrageous. Thank goodness we didn't accept your advice, and, sir, clearly Ontarians know—

The Speaker: The minister's time is up. Supplementary.

Interjections.

The Speaker: Order. Supplementary, the leader of the official opposition.

Mr McGuinty: Thank you, Mr Speaker. I can see why the Minister of Finance is trying to put some distance between himself and his predecessor on this one. I can see that.

Minister, I've got a release here put out by the Office of Privatization dated April 13, 1999, and it's all about

the deal, of course, for the sale of Highway 407. It says specifically in it, "This would mean that tolls could" only "increase by about three cents per kilometre over the first 15 years." In 15 years, tolls would go up three cents a kilometre. Well, we're not 15 years since then, we're a little over two years, and we've discovered that in many cases, for many motorists, tolls have gone up by close to eight cents per kilometre.

Again I come back to the same question that I put to the Minister of Finance, which he chose to dodge, and I ask you the same thing: when exactly was it that your government decided in this particular public-private partnership that you were going to take the side of the highway owner as opposed to standing on guard for Ontario motorists?

Hon Mr Clark: I do find it interesting that the leader of the loyal opposition only reads a part of the back-grounder. It states very clearly in there that 2% per year plus inflation for 2001-02—it very clearly states what it's going to be.

The rate currently is 11½ cents a kilometre, yet your financial analysis when you were in government stated that it should be 22 cents a kilometre and \$1.09 a kilometre for trucks.

I'm having a little bit of difficulty, sir, taking credibility from you criticizing us, when clearly we offered the taxpayers of Ontario a far better deal than you were contemplating when you were in government.

Interjections.

The Speaker: Order. Sorry for the interruption. Leader of the official opposition.

Mr McGuinty: I guess those answers are going to lend a great deal of comfort to motorists who feel that they've been gouged and abused because you decided to take the part of the highway owner as opposed to honouring a campaign commitment, which was to protect motorists against unfair toll hikes.

I want to bring the minister kicking and screaming into this millennium. I want to make him talk about this contract that was signed by his former finance minister, and I come back to the same quote. You said in here that tolls could increase by about three cents per kilometre over the first 15 years. You have failed to honour this promise. You have failed to respect the interests of motorists.

I ask you again, when exactly was it that you decided, when it came to this particular contract with that particular company, that you were going to stand on the side of the highway owner—not only that, you were going to act as a strong-arm agent when it comes to taking away licences—instead of standing up for motorists and protecting them against gouging?

Hon Mr Clark: Clearly, not only are we protecting the taxpayers in the province of Ontario, but by the Liberals' own document we're protecting the people who are driving Highway 407. Highway 407 invested \$3.5 billion—

Interjections.

The Speaker: I don't like to do this but I have to get up. Come to order, please. Sorry again, Minister.

Hon Mr Clark: As a result of the negotiations of this government, \$3.5 billion of taxpayers' money was taken from a roadway and put into hospitals and education. Clearly, by your own document you were willing to charge twice what we are charging on cars and three times what we're charging on trucks. I don't know how you can stand there and criticize this government for offering a far better deal than your own financial analysis did when you were in government. It's absurd.

MFP FINANCIAL SERVICES

Mr Howard Hampton (Kenora-Rainy River): My question is for the Deputy Premier.

Interjections.

The Speaker (Hon Gary Carr): Order. The leader of the third party has the floor.

Mr Hampton: We know that a \$100-million financial scandal is eating its way through municipal budgets, and for some reason your government doesn't care. Toronto, Windsor, Waterloo and at least two other organizations have all been taken to the cleaners financially by a group of MFP companies.

Each municipality that MFP has done contracts with has found that tens of thousands of dollars more—in some cases tens of millions of dollars more—have somehow been thrown into the contract than ever should have. With more than \$100 million of taxpayers' money in question, we called on your government last Friday to send in the Provincial Auditor. You refused.

As this scandal grows, we're asking you again: will you direct the Provincial Auditor to go in and audit these contracts between MFP and the assortment of municipalities?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): The Minister of Municipal Affairs and Housing.

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): I think we can all appreciate the concern of local residents and municipal councils about this issue, and I support the need for accountable and transparent local government. I would like to point out, though, that some of these cases in the examples that he uses are going to appear before the courts or they're filing motions to appear before the courts, and so I think he knows, as a former Attorney General, that that would be inappropriate for me to comment on.

I can say that the new Municipal Act that you just voted on has a section in it that calls for more transparency around leasing arrangements, where the terms of the repayment have to be made clear to the public and, most importantly, to the councillors.

Mr Hampton: There is absolutely nothing that stops your government from sending in the Provincial Auditor. That is not in conflict whatsoever with whatever legal actions may happen. But I think I know why you don't want to send in the Provincial Auditor—because we've learned that the MFP companies have contributed over \$110,000 to the Conservative Party in the last three years.

At the same time that they've contributed \$110,000, they have received over \$252 million in government contracts. 1440

Mr David Christopherson (Hamilton West): There's a good investment.

Mr Hampton: That is a great investment: they contribute \$110,000 to the Conservative Party; they get \$252 million in contracts with your government. I think taxpayers might be curious. Why won't you send in the Provincial Auditor to look at this? Why won't you even show any concern about this?

Minister, send in the Provincial Auditor to examine the circumstances around the \$252 million in provincial government contracts and the over \$100 million in municipal contracts. This is taxpayers' money, and you ought to be concerned about what's happening to it.

Hon Mr Hodgson: I think we're hearing more of the NDP Christmas smear. You know full well that the Provincial Auditor can take a look at any of the contracts signed by the Ontario government. The Chair of Management Board has stated that to you repeatedly in the last few days, and we welcome that, we welcome the auditor's reports.

In terms of the municipalities, for the last three weeks your party has argued against supporting the Municipal Act, because you thought the city of Toronto and other municipalities should have more autonomy. Today you're saying, "No, we should have the right to take a look at every contract a municipality signs," when they're democratically elected, accountable bodies, and they're doing a fine job right across the province. The arrangements you're talking about are either before the courts or the councils are implementing lawsuits to get to the bottom of their own affairs. Your own member was part of a council that signed some of these contracts. So if you want to smear anybody, go ahead. It's your own party.

Mr Hampton: Minister, this is not about signing contracts. This is about municipalities coming forward and saying very clearly that they were misled by MFP, and you refuse to investigate, you refuse to require a special audit by the auditor. Now we find out, because MFP is so deep into the Conservative Party pockets, that you don't want this information out there—\$252 million, and all your colleague has to say is, "Well, the company is in compliance." He doesn't say if these contracts were awarded without tender. We'd like to know that. I think the taxpayers would like to know. How were the \$252 million in contracts tendered, or were they properly tendered at all? And we want to know, finally, what did the government get for this \$252 million?

I say to you again, Minister, there's over \$352 million in taxpayers' money at stake here. You don't want to investigate. Are you merely incompetent, or are you corrupt?

The Speaker: Order. Will the member take his seat. You're going to have to withdraw that.

Mr Hampton: Is the minister merely incompetent, or is it something else?

The Speaker: Order. You need to withdraw it.

Mr Hampton: I withdraw.

The Speaker: Chair of Management Board?

Hon Mr Tsubouchi: Speaker, it's very unfortunate that the member of the third party was practising his question and wasn't listening to the Leader of the Opposition. I will repeat the answer I gave earlier today, and I will make reference once again to the fact that the Provincial Auditor has the perfect right to review any contracts, to review anything to do with government. This government has clearly indicated that we will comply and work with the Provincial Auditor in any type of review he undertakes.

I did make reference earlier on to the 2000 report of the Provincial Auditor, where he made certain recommendations to MBS. As a result of these recommendations, the Deputy Minister of MBS responded and recently wrote to the auditor and outlined how MBS will achieve lower costs for desktop computer systems, regularly evaluate equipment pricing, continue its public-service-wide training program, and implement government-wide vendors to get the best value for money.

Clearly we've taken steps at MBS to indicate that. When the member from Essex raised the question earlier, I asked the ministry to review the contracts we had with this particular company. They reported back that these contracts were in compliance.

The Speaker: The member's time is up. New question. The leader of the third party.

Mr Hampton: My question, back to the Deputy Premier: \$352 million in government contracts are at stake, allegations are being raised by municipality after municipality and you do not want to have a special audit by the Provincial Auditor.

Your colleague from Management Board was very careful in how he chose his words. He said, "We have no legal disputes with the company, and we believe they're in contractual compliance." I want to ask another clear question and I want to ask if anyone in the government has checked on this: of the \$252 million in contracts with your government—I'm not talking about the municipalities now—can you guarantee us that they were all properly tendered?

Hon Mr Flaherty: The Chair of Management Board of Cabinet.

Hon Mr Tsubouchi: Once again, I can only speak upon the obligations to the provincial government here and, yes, I spoke about this and answered this question back in October from the member for Essex and once again just recently.

I did indicate as well—he's quite accurate—that I had been advised by the officials from my ministry that we have no legal disputes with any of the contracts and that the government—and all the ministries, by the way—have assured me that there's compliance with their contractual liabilities and their obligations to the province of Ontario.

Once again, I can only go to the procedural recommendations that the auditor made back in the year 2000,

which the deputy minister from this ministry agreed to comply and deal with, and we have been compliant. As I said before, the Provincial Auditor has the right to review, and we will certainly comply with any review that he does undertake.

Mr Hampton: The minister knows that the Provincial Auditor has a limited budget. To do a special audit of this kind would require resourcing and would require the direction of this government. Without the resources for a special audit, you know that this will not happen.

But, my question to you was very clear: in view of the fact that these companies, the MFP companies, contributed over \$110,000 to the Conservative Party, can you assure us that the \$252 million in government contracts were all properly tendered? Yes or no, Minister? Were they properly tendered or not? Have you even bothered to find out?

Hon Mr Tsubouchi: The leader of the third party makes reference to the Provincial Auditor and his budget. It's my understanding that's controlled by the Board of Internal Economy, of which his party is a member. As I understand it as well, they also got an increase in the budget for the Provincial Auditor.

The auditor in the past, and certainly recently, has not let anything stand in his way of reviewing the areas he chooses to review and, quite frankly, he's done a good job in terms of reporting back to the Legislature and many of the ministries.

Once again, I can only comment on the fact that, of our contracts for the provincial government, when I've asked the officials for our ministry to review these contracts and they answer back to me that they have compliance with these contracts, that there are no outstanding legal issues, I think that's the best that can be. Quite frankly, as a result of the auditor's report in 2000, there are certain measures that the ministry—

The Speaker: I'm afraid the minister's time is up.

TUITION FEES

Mrs Marie Bountrogianni (Hamilton Mountain): My question is for the Minister of Training, Colleges and Universities. Minister, fees paid by Ontario students for post-secondary education have more than doubled in the last decade and the average debt load at graduation is now over \$20,000. As a consequence of your government's cutbacks to post-secondary education, the president of Queen's University last year submitted a plan to deregulate undergraduate tuition. This would lead to large tuition increases to now regulated programs.

The other week, representatives from Queen's met with the finance minister and the Premier's office, where they were promised an answer to their deregulation scheme by the end of December. Can you tell the Legislature and the students of Ontario whether you will stand by your commitment to cap tuition fees and preserve to some extent an accessible university education in this province, or will you allow a lame-duck Premier to shift post-secondary policy in his final hours in office?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): We have many considerations in our office right now and into the new year. This may be one of them. We also have considerations with regard to the work of the quality assessment board. We're waiting to hear what private universities and what applied degrees could come forward.

There are lots of things happening within the ministry; this could be one of them. I'm not prepared to discuss anything that we're considering in the House that is between myself and another university, or the quality assessment board recommendations at this time.

On the issue of tuition and capping students' tuition, I'm pleased that the member opposite has recognized that that was a good five-year plan. She is absolutely correct that 10% a year in increased tuition was not acceptable. That is the record of both the Liberal government and the NDP government. Thank you for the question.

1450

Mrs Bountrogianni: Minister, check your facts. The increases, the significant increases, occurred under your first mandate. Under the second mandate, you did attempt to do the right thing by capping it at 2%. Queen's University wants to undo that, Minister, and I asked you, are you going to let them? Your frightening answer was: it's a consideration. I want the students of Ontario to hear that.

How long before the other universities—McMaster, University of Toronto—follow along? Do you want an Ivy League system as in the United States, where the rich go to the expensive universities and the rest of our children go to the state universities? Is that what you want? Is that what you're going to let him do to our post-secondary education?

Interjection.

Mrs Bountrogianni: I'm not finished. It must be very tempting to the finance minister. Tuition deregulation would be an opportunity for him to further cut operating grants to universities to solve the deficit problems that your careless tax policies have caused.

We already know that deregulated programs in medicine are out of reach. Minister, yes or no? Are you going to allow Queen's to set this—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up. Minister?

Hon Mrs Cunningham: There are a number of initiatives in place to help our students. Different universities have, over time, come with different proposals. Every university, including McMaster University, when they have come forward with their deregulation requests, has been considered. Some have been approved, others have been rejected. If we are in the process of looking at a proposal, we will look at the proposal. We will look at proposals in the best interests of quality education and choice for students.

I should remind this House that students who have debt at this point in time, every penny of debt over \$7,000 that has been borrowed through OSAP, is for-

given every single year. With our partnership with the federal government, because it was thrown at us and planned so badly, those students are allowed to be forgiven any penny over \$6,500. No government has taken the interests of students with regard to their ability to go on to post-secondary education more seriously with regard to—

The Speaker: I'm afraid the minister's time is up.

FEDERAL HEALTH SPENDING

Mr John O'Toole (Durham): My question is to the Minister of Intergovernmental Affairs. Minister, yesterday the federal Liberals brought down their first budget in two years, and in it Finance Minister Paul Martin again completely ignored the province's call for more health care funding. Surprise.

When it comes to health care, Mr Martin has not just stolen Christmas, in fact he's pilfered the entire new year.

The federal minister missed an opportunity to respond to the number one concern of not just my constituents in the riding of Durham, but of all Canadians; certainly the number one concern in my riding.

I was talking recently with Dr Chuck Rowe, Dr Tony Stone and Dr Pat Morra. They gave me a tour of the Lakeridge Health hospital. I spoke with front-line providers in the emergency room. Clearly, all of them, including workers at GM, senior citizens, small business—in my entire riding the number one priority, Minister, is health care. It's obvious that the federal government has just ignored them and gone on their own little spending spree.

Last week the Premiers from across the country, not just our Premier, led an assault on the federal government to fulfill their original—

The Speaker (Hon Gary Carr): I'm afraid the member's time is up.

Hon Brenda Elliott (Minister of Intergovernmental Affairs): We have been anticipating the federal budget for some time now. Ontario has been very consistent in saying that health care is our number one priority here.

A recent Ipsos-Reid poll indicated that 82% of Canadians want health care to be their number one priority and only 16% indicated security was their priority.

Premiers and leaders from across the country have called upon the federal government to invest in health care, to restore the health care level to what it actually was in 1994, which is 18%, and to introduce an escalator. Yesterday, it was very clear that the federal Liberals have not listened to leaders across the country. They haven't listened to the provinces and territories and, more worrisome, they haven't listened to the needs of the citizens. They did put some money in health: \$170 million for research. Here's what the Premier of Manitoba said, "The federal government is going to spend money to count nurses. We've got to hire them. We've got to retrain them"—

The Speaker: Order. I'm afraid the minister's time is up. Supplementary.

Mr O'Toole: Thank you, Minister, for that very detailed response. I know these are complex issues. The federal government doesn't get it. Actually it all boils down to dollars and cents. The federal government has clearly—the people of Ontario understand—not stepped up to the plate on this one. In fact, since 1994 the federal government is spending \$400 million less on health and social transfer payments since they took office. The question still lingers: will the federal government do what the provinces are calling for and increase funding to health care and understand that it is Ontario's and Canada's top priority?

Hon Mrs Elliott: I thank my colleague for bringing this up in this Legislature. We're talking about a federal budget. My colleagues across the way often complain that we talk about federal matters, but this is important for Ontario and it's puzzling to us why the federal Liberals don't respond. Every Premier and territorial leader across this country has said to the federal government, "Health care is the number one issue." They want the principles of medicare to be respected, which were 50-50, and they don't understand why the federal government will not respond to their citizens' needs.

The federal government says it spends \$23.5 billion in health care to the CHST. That is correct. What they forget to say is that they cut \$25 billion out of the CHST budget previously. Whether you're from Manitoba, whether you're a Liberal leader, the story is the same and I think New Brunswick's Premier put it just right, "The big story is what's not in the budget: additional investments in health care."

The federal Liberals have not responded and the Ontario Liberals don't get it. Ontarians are asking—

The Speaker: Order. I'm afraid the minister's time is up.

ONTARIO DRUG BENEFIT PROGRAM

Mr Ernie Parsons (Prince Edward-Hastings): My question is to the Minister of Health. Minister, on October 23, I asked you about your unwillingness to fund the treatment of age-related macular degeneration. Your answer at that time was that there were problems and there was stalling by the federal government on their approval, even though that happened in February 2000. You said, "We have the issue under advisement and would like to report back to him and to this House at the earliest available opportunity." People are going blind every day while your ministry fights internally as to which branch of the ministry should fund it.

I would like to introduce Marie Thurston and her son Carl from Waupoos. Mrs Thurston has lost her vision in her left eye due to macular degeneration and is losing it in the right. There is a cure for this. Her problem is not lack of medical technology; her problem is lack of \$15,000. Mrs Thurston has paid taxes all of her life. Her vision depends on your making a decision to fund it for her and the hundreds of other Mrs Thurstons. Will you now, today, agree to fund the treatment for macular degeneration for the seniors of this province?

Hon Tony Clement (Minister of Health and Long-Term Care): I can say to this House that of course the issue is presently with the government. I can confirm that. The honourable member knows that there are not only issues of technology with respect to the new treatment, but there are also issues with respect to physicians and the application, who's going to be applying this technology and so forth. The issue is a bit more complicated than your typical medication, and we are moving in an expeditious way to deal with an issue which is complicated and has to be treated in the proper way for the health and security of Ontarians.

Mr Parsons: You should be ashamed of yourself. The other provinces fund this. She has the doctor and Visudyne exists. What she needs is \$15,000 of the tax money she has paid over the years. You will pay almost \$1,000 a month to her as a pension if she goes blind. Minister, that is cruel. Authorize now, for her and the hundreds of others.

We will be waiting outside at the end. Will you meet with Mrs Thurston now and explain why the millions of dollars for the health care ads are more important than curing her blindness?

Hon Mr Clement: I would be happy to schedule a meeting between the honourable member and his local member of Parliament because in fact, as he well knows, the federal Liberals are the ones who are underfunding our health care system. They should be ashamed of themselves. They spend—

Interjections.

The Speaker (Hon Gary Carr): Minister?

Hon Mr Clement: The federal government is a government that has a \$36-billion EI surplus on the backs of Ontario workers and employers. That is a shame, that is unacceptable and I'd be happy to work with the honourable member—

Interjection.

The Speaker: Order. The member for Prince Edward-Hastings, please come to order. He's asked the question. The minister needs to have a response. Sorry, Minister.

Hon Mr Clement: I would be happy to work with the honourable member and with the Leader of the Opposition, the leader of the Liberal Party, to shame the federal Liberals to end their pork-barrelling, to end their wasteful administration, and to spend the money on the number one health and spending priority of the people of Ontario and Canada: health care, health care, health care.

1500

ICE FISHING

Mrs Julia Munro (York North): My question is to the Minister of Tourism, Culture and Recreation. In my riding, ice fishing is an important winter tourism and recreational activity. My riding hosts the annual Canadian Ice Fishing Championship, which will be held this February 22 and 23 off Jackson's Point on Lake Simcoe. I want to make sure tourists know about this event and about the great ice fishing in York North all winter long. What can your ministry do to help in this regard?

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): I appreciate the member for York North's interest in ice fishing and her strong promotion of this important recreational tourism activity in Ontario. No doubt it fits with our goal to make sure Ontario is a four-season tourism destination. Certainly events like the Canadian Ice Fishing Championship can have important spinoffs for the local and regional economy.

I would encourage the member—we talked about this already—to have them get in contact with the ministry for the tourism event marketing partnership, the TEMP program, which helps to market and bring new tourists into the area by helping to address new markets and attendance, and obviously there's an economic impact. Finally, there's an industry partnership proposal program that helps to create packages of not only ice fishers, but guides, hotels and other attractions in the area. No doubt this will help to market Lake Simcoe as one of the country's premier ice-fishing areas.

Mrs Munro: Minister, I was pleased to hear about your ministry's new \$14-million plan to market Ontario as a must-see four-season destination. Can you tell the House what initiatives you have currently in place to market ice fishing as a fun winter activity in Ontario?

Hon Mr Hudak: I appreciate the kind words. We have increased the tourism marketing budget for this year by some \$14 million, more than doubling what we normally do in North America, an increase of \$10 million in Minister Flaherty's recent economic statement to help the tourism industry bounce back.

Some publications that are part of our program include the Fish Ontario guide, which features a full page on ice fishing; the Snow Country Ontario guide, which has text and photos of ice fishing throughout; and certainly the Ontario Adventure guide, which tells readers to "head for the huts," advising them to come and book their package, and rightly calls Georgina, in the member's riding, the ice-fishing capital of the world.

I encourage local businesses and municipalities to get involved. Check out our Web site at Ontariotravel.net and our 1-800-Ontario line. As well, the Northern Ontario Tourism Marketing Association has their own dedicated guide, called Ice Fishing in Northern Ontario, for those who want to travel even farther north after experiencing Georgina.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Energy. Yesterday, I raised the published comments of John Mayberry, president and chief executive officer of Dofasco. He says point-blank that your dirty deal to sell off our electricity system will cost the Ontario economy a lot of jobs. He also says your deal to privatize and deregulate our electricity system will mean that energy companies that export electricity to the United States will not have to pay a stranded debt charge on the electricity that is exported, but Ontario electricity consumers will have to pay a debt retirement

charge for every kilowatt of electricity they consume. It means that under your scheme to privatize and deregulate our electricity, Ontario consumers would be paying more and would, in effect, be subsidizing electricity exports to the United States.

Minister, is Mr Mayberry right? Yes or no?

Hon Jim Wilson (Minister of Energy, Science and Technology): Mr Mayberry is right, but the honourable member is wrong again. Mr Mayberry wants us to actually sell off more of our electricity system faster, so that we'll have more competition and large companies like Dofasco and many others in the province will have an opportunity to shop around for competitive prices for electricity. He's totally misunderstood Mr Mayberry's comments and the concerns expressed by large industrial users in the province. They want us to move faster and harder to make sure there's more competition, so they don't have to buy just from Ontario Power Generation but can actually, for the first time in a hundred years, shop around for lower prices and more competitive prices than the monopoly has been able to provide in the past. That's Mr Mayberry's point. It's the exact opposite of what the honourable member contends.

Second, any power we sell to the US, to Quebec, to Manitoba, or power they sell us, is surplus power. It's opportunity power. It's pure profit, in terms that it's power that otherwise would go to waste or not be generated. We have high-paid workers sitting there ready to—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up. Supplementary?

Mr Hampton: I don't think I misunderstood Mr Mayberry at all. An Ontario consumer, whether residential or industrial, is going to pay a debt retirement charge of seven cents a kilowatt hour under your scheme. At the same time, if a company like British Energy or TransAlta exports that electricity to the United States, there is no debt retirement charge. It means that Ontario consumers are going to be paying a special charge and, in fact, subsidizing the export of electricity to the United States. It means exactly what Mr Mayberry says. You're going to put Ontario industries in an uncompetitive position relative to American industries.

Throughout all this, I ask, why are you in such a hurry to benefit the economies of Michigan, Ohio, Illinois and New York by providing them with cheaper power while you force up the price of electricity here in Ontario? What is it that you've got against Ontario consumers and Ontario industries that you're so hungry to give away our electricity at a reduced price?

Hon Mr Wilson: The whole restructuring of the electricity system, just like everything else this government does, is about creating jobs here in Ontario, so that people can raise their families, get off the welfare cycle and have the dignity of a job, which is the greatest thing a politician can offer. If you do anything positive in this House, Mr Hampton, you might want to try that agenda. It might actually bring you up in the polls.

You have the Power Workers' Union, which owns 4% of the Bruce plant. They're quite capable of producing

good, cheap, clean electricity. Again, the independent market operator, the regulator, will make sure that Ontario is served first. But if there's surplus power, if those good workers at the Bruce want to make some money for their company, if Ontario Power Generation wants to make some money which goes to paying down the debt that the Liberals and NDP left—some \$38 billion, which desperately needs to be paid down because the interest payments are a killer, and they're hurting our jobs, they're hurting our electricity rates. If we can make money on surplus power in the United States, we're damn well going to do that. We're going to pay our debts, we're going to pay our way and we're going to have the best electricity system in North America. I guarantee it.

1510

ONTARIO DRUG BENEFIT PROGRAM

Mr Dalton McGuinty (Leader of the Opposition): Speaker, my question is for the Minister of Health.

Interjections.

The Speaker (Hon Gary Carr): Sorry to interrupt. We'll just wait; it's a little noisy. Thank you, members.

Mr McGuinty: My question is for the Minister of Health. I want to return to the matter raised by my colleague just a few moments ago relating to Mrs Marie Thurston, who is sitting in the gallery today. Minister, your answer, in a word, was unacceptable.

Marie Thurston, so you are a bit more familiar with her, is 72 years of age. She was widowed some 28 years ago. She raised her three children on her own. She worked as a store clerk. She has gone blind in her left eye. She is now losing sight in her right eye. She can't afford the treatment, Visudyne, that costs \$2,000 per treatment. The total treatment will cost her at least \$15,000.

Maybe you lost sight a long time ago of what government's all about. But do you know what it's about, Minister? It's about helping people like Mrs Thurston here overcome those challenges that are too big for her to overcome on her own. I think it is wrong for us at the beginning of the 21st century here in Ontario, when seven provinces are covering this treatment, seven other provinces.

Hon Tony Clement (Minister of Health and Long-Term Care): Five.

Mr McGuinty: Seven. You go and count them, Minister. You say five somehow justifies it. If five are doing it, that's OK, that makes it legitimate and responsible? I think you've got a responsibility to help this woman. I think you've got a responsibility to make sure she doesn't lose sight in her remaining good eye. I think that's fundamentally what government is all about. Will you help Mrs Thurston?

Hon Mr Clement: I'd be happy to help individuals he mentioned, individuals in this province who expect a health care system to be there when they need it. That's what we all want on our side of the House as well, and

we are doing it each and every day—\$6 billion of new spending since we got elected. We're doing it without a partner. They're not partners on that side of the House. They have not supported a single measure we have tried to take to get the federal government to live up to their responsibilities.

Yes, I'd like to help the lady you mentioned. I'd like to help every single lady and man who needs help. We need the help of you and your Liberal crony—

Interjections.

The Speaker: Order. We have a guest in the gallery who would like to hear the answer. She's not going to get to hear the supplementary. She's come a long way to hear the minister and to hear the question. I would ask all members if they would kindly be quiet so we can ask the question. Otherwise, she will have come a long way and we won't get to ask the question. The time is clicking down. We have a guest here who wants to hear an answer from the minister. I would suggest you let the leader of the official opposition place the question.

Mr McGuinty: Minister, how can you tell us you don't have \$15,000 for Mrs Thurston, but on the other hand you have \$2.2 billion for corporate tax cuts, you've got half a billion dollars for private school tax credits, and you've got close to a quarter of a billion dollars for partisan political advertising? Don't tell me you don't have the money. What you're really telling me, Minister, is that she's not a priority.

This is the face of Ontario right here. That's what it's about. This is the privilege of government. This is the privilege of public service, so you don't lose sight of these people and their fundamental needs. You lost sight of that a long time ago. I feel sorry for you, but not as sorry as I feel for Mrs Thurston and the fact you simply lack any sense of responsibility to help her out.

I'll ask you again, Minister, understanding how fundamentally important this is to Mrs Thurston—

Interjection.

The Speaker: Sorry to interrupt, leader of the official opposition. Minister of Training, Colleges and Universities, please come to order. I've yelled three times at you. You don't even hear me yelling, you're yelling so much. Please come to order. Sorry, the leader of the official opposition.

Mr McGuinty: Minister, just listen. Give your answer to this woman, who played by all the rules, raised her kids, worked long and hard, paid her taxes. She's 72. I feel we owe her now. We should make sure she can get this treatment so she doesn't lose sight in her remaining eye. I think that is a responsibility we all share. You look her in the face and you tell her why it is that in five other provinces—you say; I say seven other provinces—where they're covering treatment—they all share, by the way, the same federal government. You tell her why in your Ontario we can't afford this treatment.

Hon Mr Clement: I'd be happy to answer the question. There are a lot of things he's just mentioned right now. I could tell you that there are hundreds of procedures and hundreds of medications that we cover in

Ontario that aren't covered in other provinces because we're—

Interjections.

The Speaker: Order.

Hon Mr Clement: Come on, Mr Speaker.

The Speaker: I know we like to hear you, but we can't, and it was your minister who was yelling when he was asking the question. We've got it both sides. You're going to get an opportunity. We have a guest who's come a long way and wants to hear the Minister of Health. It's your side that was yelling and interrupted the leader of the official opposition when he was in his flow. I know it's very disruptive for members when they're trying to think of a question, but unfortunately it's members from both sides who are doing it, not just one side, I say to the Minister of Health. I apologize for the interruption. I want to make it quiet so he can hear you, because if I can't hear you, I can assure you that our guest, who has come a long way, can't hear you. Again I apologize to the Minister of Health. It's now the Minister of Health's time. Sorry.

Hon Mr Clement: The honourable member uses compassion like it's some sort of commodity, that there's some sort of unflowing commodity on this side of the House. We have compassion on this side of the House.

Mr Gerard Kennedy (Parkdale-High Park): Prove it.

Hon Mr Clement: Walk a mile in our shoes, I say to the honourable member. He doesn't know the first thing about leadership, the first thing about tough decisions. Every day of the week, every minister and every caucus member on this side of the House makes some tough decisions, trying to find the money, trying to find the resources to help people like the lady in the gallery. That's our job. We know it's a tough job. We take that job willingly because we have the compassion to make the right decisions for the people of Ontario.

FIREARMS SAFETY AND CONTROL

Mr Doug Galt (Northumberland): My question is directed to the Solicitor General. Typically, jurisdictional responsibility is a pretty straightforward situation. However, there are areas of federal responsibility and areas that are provincial responsibility, and sometimes these areas overlap. Firearms is one of those areas. Minister, can you tell this House and my constituents in Northumberland how that responsibility for firearms safety and registration works?

Hon David Turnbull (Solicitor General): The Canada Firearms Act requires that all firearms be registered and licensed. Ontario chose to appoint its own chief firearms officer to administer the licensing provisions of the act, and indeed Ontario gun owners support this. The federal government continues to be responsible for administering the registration provisions and the Ontario chief firearms officer is responsible for investigating those who apply for licences to ensure that they are not a risk to the public safety, also for revoking licences where

that is deemed necessary and for notifying the police if firearms should be seized. The Ontario Chief Firearms Office maintains an excellent working relationship with law-abiding, responsible firearms owners.

Mr Galt: Certainly Ontario's law-abiding gun owners made it clear that they wanted the province to administer the federal act; however, are they pleased in how it's going?

Also, I'm regularly being contacted by members of the firearms community about a rumour that keeps going around that you are planning on closing the firearms office in Orillia. I don't need to tell you just how upsetting that would be to the people in my riding. Minister, will you stand in your place, come clean and explain to us, are you in fact planning to do this or are you not?

Hon Mr Turnbull: Support for Ontario's role in firearms safety continues to be very, very strong. In fact, a recent edition of Canadian Shooting Sports magazine praised Ontario's decision to appoint its own chief firearms officer and reported that Ontario's Chief Firearms Office has credibility and trust with the firearms community.

I certainly understand that there has been this rumour circulating, concerns about the office in Orillia closing. It's simply not true. It will remain open to provide law-abiding Ontario gun owners with the services they need. This government supports the work of the chief firearms officer and is confident of his abilities to promote responsible ownership.

1520

HÔPITAL MONTFORT

M^{me} Claudette Boyer (Ottawa-Vanier): Ma question s'adresse au ministre de la Santé. Depuis vendredi dernier, les Franco-Ontariens et Franco-Ontariennes ont un nouveau slogan qui dit : « Montfort ouvert et pour toujours ». Tel est le slogan que nous pouvons maintenant crier haut et fort à la suite de la décision claire et unanime que vient de rendre la Cour d'appel de l'Ontario face à Montfort. Comme le disait très bien la présidente de SOS Montfort, Gisèle Lalonde, « Montfort est vivant. » Dans le foyer même de l'hôpital, vous avez vous-même exprimé quelques jours avant la décision votre confiance en l'avenir de Montfort.

La crise de Montfort a assez duré. Il est temps de passer à autre chose, d'accepter qu'un jour nouveau se lève en Ontario et qu'enfin l'heure est à la réconciliation et à la coopération.

Monsieur le ministre, pouvez-vous nous assurer que vous allez enfin mettre fin aux procédures judiciaires et que vous allez ajuster le financement de Montfort en conséquence et reconnaître sa mission académique comme hôpital de formation pour les francophones ?

L'hon. Tony Clement (Ministre de la Santé et des Soins de longue durée): Il est important de savoir que l'hôpital Montfort est un hôpital qui a beaucoup de mandats : pour la santé et aussi pour les soins de longue durée, par exemple. Il y avait bien sûr une décision de la

Cour d'appel de l'Ontario au sujet de l'avenir de Montfort. Le procureur général et le gouvernement de l'Ontario sont maintenant en train d'étudier cette décision. Il y avait une décision complexe, une décision qui contient 71 pages de paroles, et j'espère que, dans les quelques semaines à venir, il sera possible d'avoir une réponse pour cette Chambre et pour les francophones de l'Ontario en ce qui concerne l'avenir de Montfort.

M^{me} Boyer: Je comprends, mais vous avez le jugement en main depuis vendredi dernier et la décision de la Cour divisionnaire depuis quelques années. Soixante pages, ce n'est quand même pas si volumineux.

Monsieur le ministre, rendez-vous donc à l'évidence et admettez qu'après deux décisions unanimes vous avez bel et bien perdu la cause. Je suis convaincue que la Cour suprême trancherait en faveur de Montfort.

La décision est claire. La cour confirme le jugement de la Cour divisionnaire, annule les directives de la commission et, de plus, rejette l'appel de la province. Le jugement confirme aussi que les Franco-Ontariens et Franco-Ontariennes ont des droits : des droits constitutionnels, des droits intouchables aux institutions qui sont vitales à leur épanouissement.

Je me répète : allez-vous enfin ajuster le financement de Montfort en conséquence et, s'il vous plaît, reconnaître sa mission académique comme hôpital de formation pour les francophones ?

L'hon. M. Clement : Je peux dire aussi que surtout le gouvernement de l'Ontario appuie les services francophones pour la francophonie d'Ottawa et des autres endroits. Il est important de protéger ce service francophone. C'est un travail très important pour ce gouvernement. Bien sûr il y a eu un jugement, un jugement complexe, comme j'ai dit, un jugement long qu'il est important d'étudier parce qu'il y a beaucoup de questions, beaucoup de défis dans ce jugement. Il faut répondre à ce jugement. Il y aura 60 jours pour répondre, et le procureur général et nous, le gouvernement de l'Ontario, voulons répondre aussitôt que possible.

PETITIONS

HOME CARE

Mr Rick Bartolucci (Sudbury): This petition is to the Legislative Assembly of Ontario. It will probably be the last time before the hostile takeover of CCACs that I'll be able to present this petition.

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond the control of our CCACs; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-

Term Care is inadequate to meet the growing need for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing CCACs to make deep cuts in home care services without any policy direction from the provincial government;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health care planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to CCACs to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs; and finally

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year."

I give this petition to Kathryn after I've signed my signature in support of it.

PROFESSIONAL LEARNING

Mr Peter Kormos (Niagara Centre): I have a petition addressed to the Legislative Assembly of Ontario. It reads:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

That's signed by Joe Caporicci, Brad Bissonnette, Rose Digout, indeed, 709 Catholic teachers. I agree with them. I support them. I have affixed my signature as well.

SENIORS' HOUSING

Mr Carl DeFaria (Mississauga East): I have a petition that reads as follows.

"To the Legislative Assembly of Ontario:

"Whereas there is currently a shortage of affordable housing for seniors; and

"Whereas the waiting lists for subsidized seniors housing surpasses a period of eight years; and

"Whereas the Tenant Protection Act does not prevent rent increases upon moving; and

"Whereas seniors find themselves committing over 80% of their income to rent alone;

"We, the undersigned, hereby respectfully petition the Legislature of Ontario as follows: that the government of Ontario will:

"Subsidize current homeowners to remodel their homes and bring possible rental units up to current regulatory standards through low-interest or no-interest loans and funding;

"Provide subsidized housing for seniors in their current residences until more housing is made available."

ONTARIO DISABILITY SUPPORT PROGRAM

Mr Michael Gravelle (Thunder Bay-Superior North): To the Legislative Assembly of Ontario:

"Whereas the recipients of benefits under the Ontario Disability Support Act have not received a cost-of-living increase since 1987; and

"Whereas the cost of living in Ontario has increased in every one of the last years since, especially for basic needs such as housing, food, utilities, transportation, clothing and household goods; and

"Whereas disabled Ontarians are recognized under the Ontario Disability Support Program Act, 1997, and as such have the right to have their basic needs met, including adequate housing, a proper and healthy diet, a bed that does not make them sicker and clothing that fits and is free of stains; and

"Whereas their basic needs are no longer being met because the Ministry of Social Services has not increased the shelter and basic needs allowances of disabled Ontarians eligible to receive benefits to reflect the increased costs of shelter and basic needs; and

"Whereas the new Ontarians with Disabilities Act has yet to be passed to help protect the thousands of vulnerable people in Ontario who are dependent on others for their basic needs and care and who are eligible for benefits under the Ontario Disability Support Program Act;

"Therefore, we, the undersigned citizens of Ontario, request the Ontario Legislature to urge the government to respect their own definition of basic needs and provide a cost-of-living increase to recipients of benefits through the Ontario Disability Support Program Act that is sufficient to cover the increased costs of their basic needs as of 2001 prices and that this benefit not be reduced as a result of increases in the Canada pension plan benefit."

1530

OHIP SERVICES

Mr David Christopherson (Hamilton West): I have further petitions from Sudbury, Hamilton and Welland regarding hearing tests being denied. The petition, entitled *It's Time to Listen*, reads as follows:

"Whereas the Harris government's decision to delist hearing aid evaluation and re-evaluation from OHIP coverage will lead to untreated hearing loss; and

"Whereas these restrictions will cut off access to diagnostic hearing tests, especially in geographic regions of the province already experiencing difficulties due to shortages of specialty physicians; and

"Whereas OHIP will no longer cover the cost of miscellaneous therapeutic procedures, including physical therapy and therapeutic exercise; and

"Whereas services no longer covered by OHIP may include thermal therapy, ultrasound therapy, hydrotherapy, massage therapy, electrotherapy, magnetotherapy, transcutaneous nerve therapy stimulation and biofeedback; and

"Whereas one of the few publicly covered alternatives includes hospital outpatient clinics where waiting lists for such services are up to six months long; and

"Whereas delisting these services will have a detrimental effect on the health of all Ontarians, especially seniors, children, hearing-impaired people and industrial workers; and

"Whereas the government has already delisted \$100 million worth of OHIP services,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to immediately restore OHIP coverage for these delisted services."

On behalf of my constituents and the NDP caucus, I add my name to this petition.

EDUCATION TAX CREDIT

Mr Ted Chudleigh (Halton): "To the Legislative Assembly of Ontario:

"Whereas wide parental and student choice are essential to the best possible education for all students; and

"Whereas over 100,000 students are currently enrolled in the independent schools of Ontario; and

"Whereas the parents of these students continue to support the public education system through their tax dollars; and

"Whereas legislation has been passed to implement an equality in education tax credit;

"We, the undersigned, petition the Legislative Assembly of Ontario to encourage the government to stay the course. Fairness in funding is long overdue. We ask the government to move as quickly as possible to phase in the equality in education tax credit."

I'm pleased to affix my name to this petition, and I'm particularly pleased that Nicole Agro is here to accept it from me.

PROFESSIONAL LEARNING

Mr Pat Hoy (Chatham-Kent Essex): "To the Legislative Assembly of Ontario:

"Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

"Because such professionalism is best served when professional learning is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

"Because we oppose the government's teacher testing program and the College of Teachers' professional learning program because they do not meet the objectives of effective professional learning,

"We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001."

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have a petition signed by my friends from Blaydon Community Day Care in North York, A Child's World in Port Colborne, Byng Avenue daycare in Oshawa and as well from Debbie Bent from St Catharines. The petitions read as follows:

"Whereas an internal government document states the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same internal document states the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

"Whereas Fraser Mustard and Margaret McCain identified regulated child care and family resource programs as integral to early childhood development;

"Whereas the Conservative government will receive \$844 million from the federal government over five years for early childhood development;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Whereas other provinces are implementing innovative, affordable, and accessible child care programs such as Quebec's \$5-a-day child care program; and

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand the Conservative government protect the current regulated child care and family resource program budgets and invest significant federal Early Years funding in regulated child care and family resource programs.

We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care and in continued funding for family resource programs.”

I agree with the petitioners and I sign my signature to it.

LORD’S PRAYER

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I have a petition to the Legislative Assembly of Ontario:

“Whereas the Lord’s Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

“Whereas such use of the Lord’s Prayer is part of Ontario’s long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

“Whereas the Lord’s Prayer is the most meaningful expression of the religious convictions of many Ontario citizens;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Legislature of Ontario maintain the use of the Lord’s Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario.”

PROFESSIONAL LEARNING

Mr Dave Levac (Brant): To the Legislative Assembly of Ontario:

“Whereas the government of Ontario wants to implement a teacher testing program in the province of Ontario and the College of Teachers professional learning program; and

“Whereas we, the undersigned, believed in our responsibility as teachers to maintain a high degree of professionalism and, as such, professionalism is best served when professional learning is self-corrected and based on teacher need, improves professional skills, improves student learning, is based on best practices, accountability and is funded by an appropriate educational authority; and

“Whereas we oppose the government’s teacher testing program and the College of Teachers professional learning program because they do not meet the objectives of effective professional learning,

“We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability in Education Act, 2001.”

I affix my name to this petition and give this to Alim.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have more child care petitions, these from St Joachim Children’s Centre of Ancaster in Ancaster, Rainbow Nursery School in

Welland, Sunnyside Garden Daycare in Toronto and A. Newell of Lansdowne. They read as follows:

“Whereas an internal government document indicates the Conservative government is considering cutting the regulated child care budget by at least 40%;

“Whereas the same internal document indicates the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

“Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource program budget on to municipalities;

“Whereas further cuts would run counter to the support identified for regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

“Whereas the Conservative government will received \$114 million this year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

“Whereas Ontario is the only province which didn’t spend a cent of this year’s federal money on regulated child care;

“Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government’s mandate and we demand that future federal Early Years funding be invested in an expansion of affordable, regulated child care.”

I agree with the petitioners and sign my name to it.

HIGHWAY 407

Mr Joseph Spina (Brampton Centre): “To the Legislative Assembly of Ontario:

“Whereas the province of Ontario has proposed the extension of Highway 407 into,” my colleague’s area, “Durham region and the proposed route, designated as the technically preferred route, will dissect the property of Kedron Dells Golf Course Ltd Oshawa;

“Whereas such routing will destroy completely five holes, and severely impact two additional holes effectively destroying the golf course as a viable and vibrant golf course;

“We, the undersigned,” and this is for my colleague from Durham, “respectfully petition the Legislative Assembly of Ontario to change this routing to one of the other identified alternate routes, thus preserving this highly regarded, public facility patronized annually by thousands of residents of Durham region and the GTA,” and my colleague from Durham, the honourable John O’Toole.

Mr John O’Toole (Durham): On a point of order, Mr Speaker: I’m a bit perplexed because sequentially, in reading the petitions, it went around and went by me. Perhaps there’s an explanation. You didn’t see me?

The Acting Speaker (Mr Michael A. Brown): I saw you.

1540

LONDON HEALTH SCIENCES CENTRE

Mr Steve Peters (Elgin-Middlesex-London): I have a petition to the Legislative Assembly of Ontario.

"Whereas the London Health Sciences Centre is a world-class academic health sciences centre serving the people throughout southwestern Ontario; and

"Whereas the Ministry of Health has forced the London Health Sciences Centre to find \$17 million in annual savings by 2005; and

"Whereas the London Health Sciences Centre has agreed to cut 18 programs in order to satisfy the directions of the provincial Ministry of Health; and

"Whereas these cuts will put the health of the people of southwestern Ontario, and particularly children at risk;

"Whereas these cuts will diminish the London Health Sciences Centre's standing as a regional health care resource; and

"Whereas these cuts will worsen the continuing physician shortage in the region;

"Therefore, be it resolved that we, the undersigned," 5,000 individuals from southwestern Ontario, "petition the Ontario Legislature to demand the Harris government take immediate action to ensure that these most important health services are maintained so that the health and safety of people throughout southwestern Ontario are not put at risk."

I present these petitions on their behalf and have affixed my signature in full agreement.

The Acting Speaker (Mr Michael A. Brown): This completes the time allocated for petitions.

Hon Dan Newman (Minister of Northern Development and Mines): On a point of order, Mr Speaker: I seek unanimous consent for the member for Durham to present a petition.

The Acting Speaker: The Minister of Northern Development has asked for unanimous consent for the member for Durham. Agreed? I heard some noes.

ORDERS OF THE DAY

TIME ALLOCATION

Hon David Young (Attorney General, minister responsible for native affairs): I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities, when Bill 30 is next called as a government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That, notwithstanding standing order 28(h), no deferral of the third reading vote may be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Michael A. Brown): Minister.

Hon Mr Young: Mr Speaker, Bill 30 has received considerable attention. It has been the subject matter of considerable debate and deliberation, not just in this past session—although that, of course, is true, and I'll talk about that a little more in a moment—but has also been a matter that was considered by this honourable assembly in the previous session. A very similar bill, not an identical one—and again, I will come back to the distinction between the two pieces of legislation—was the subject matter of considerable debate last year, not only in the formal assembly chamber in which we're privileged to serve this day, but also at the committee level; and not only at the committee level, which is part of the formal Legislative Assembly in which we participate, as do members of the public in various ways, but also at forums that have been hosted by my ministry and others in order to discuss what needs to be done in order to deal with a growing and very, very serious problem in this province, in this country and, indeed, throughout the world. That problem is organized crime.

Let's be clear about what we're talking about here. We are talking about an insidious operation that takes place every day across this province. We're talking about an operation that takes hard-earned dollars from hard-working Ontarians, an operation that takes money from individuals who in many instances don't even know they are being defrauded until it is too late and the money is long since gone.

We are not just talking about the type of organized crime that has plagued our society for some many decades; we're talking about a new type of organized crime. We're talking about an organized crime that reverts to and utilizes computers, credit cards and ATM technology to take from individuals their hard-earned dollars. We're not just talking about drugs and thugs. We're talking about a very sophisticated, international in many instances, approach to organized crime, one that we have not experienced previously on that scale in this province or in this country.

The Mike Harris government came forward last year with some relatively innovative measures that we felt were necessary—and I'll explain why we felt that way—in order to combat this growing and very serious problem. As I indicated, we held a forum at which experts from around the world came to talk about their approaches to organized crime, and a good deal of time was spent talking about a civil remedy to organized crime. It was from that forum and the discussions that ensued thereafter that the original bill was developed, presented, debated in this Legislature at some length, and ultimately sent to committee, where it spent two days. Again, experts from the United States, Canada and around the

world came to testify about the pros and the cons. Not everyone embraced the bill. There were some who came forward and had some problems with it.

By the way, you will see that the original bill as compared to the bill we have tabled today is reflective of the comments of some of the individuals who have come forward to discuss this in what was a very thorough, comprehensive and fulsome debate over the past year and a half. Some of those changes that we have made to the original legislation come from the very thoughtful dialogue that took place about the original bill and about the subsequent bill. In fact, we have come forward to this Legislative Assembly with a bill that I am indeed very proud of, a bill that is modelled on the experiences in other countries, because there is no similar approach to battling organized crime in existence in law in Canada. In other countries, countries like the United States, Ireland and South Africa, they have in the past reverted to this approach to crime with some considerable success in many instances.

I'm reminded of the comments made by an inspector from Ireland who came forward as we were developing this bill to say that their experience in Ireland was such that whole families, groupings of organized criminals, left the jurisdiction. Why? Because their civil remedy approach took the profit out of crime. What it did is it took the lifeblood away from their criminal activity. Let there be no mistake: whether they be in Ireland, South Africa, the United States or Canada, they are engaged in this criminal activity primarily for the purpose of making money. They want to make money. If you take away the money they make, if you take away their ill-gotten gains, there is no purpose, no incentive, no reason for them to continue that activity.

We have drafted this bill with that in mind. We have, as I indicated, spent a good deal of time debating it both formally within the Legislature and informally outside of the Legislature, as well as in committee hearings.

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I will say to you that there comes a time when the debate must end, when the talk must stop and action must take place. We are hearing this from law enforcement personnel including chiefs of police of many major cities and smaller jurisdictions across this province. Chief Fantino, for one, has repeatedly asked for the passage of this legislation. I know that Chief Robertson has again expressed his desire to have this tool in place to assist his force to battle organized crime. We are here today and we have come forward with this time allocation motion with a view to acceding to their request, with a view to providing them with a further tool—not a panacea, but an additional tool to assist them in their battle, which is not an insignificant battle. It utilizes a great deal of the resources of our law enforcement personnel and crown attorneys, and this will make their job that much easier.

It's important, though, to stress that this civil law is not being brought in to replace any criminal remedy. The Criminal Code and any criminal law that exists today that has been passed by our colleagues in Ottawa will con-

tinue to operate, will continue to exist and will continue to be another tool, an existing tool, that can be utilized, in appropriate cases, by law enforcement personnel and others to battle organized crime. This isn't "instead of"; this is "as well as."

Let's talk a little bit about what would happen if this bill passes. If I can jump to the conclusion, the goal here is to help victims. The goal here is to return money to those from whom money was taken as a result of illegal activity. That's the goal of this bill.

How do we accomplish that goal? Well, we have said that the same law that has existed in this country for approximately 140 years, the same law that has existed throughout the Commonwealth, the common law dealing with the return of property to its rightful owner—that same civil property law should apply in relation to criminals. So we have said in this bill that civil courts should be allowed to do what they do every day but should be allowed to do that in relation to the activities of organized crime. They should be allowed to freeze, seize and forfeit to the crown the proceeds of unlawful activity or the instruments likely to be used in the future commission of unlawful activity. If this bill passes, that will be one additional tool that courts will have.

In addition, civil courts would be able to grant remedies against unlawful conspiracies by two or more people to harm the public. Again, if the bill is made law—as I hope it will be shortly—that would be an additional remedy that the civil courts of this province would have.

A third remedy that's worthy of note at this point in time is that it would enable victims of unlawful activity to claim compensation against the forfeited proceeds from that activity.

That determination as to whether or not property should be seized or frozen or forfeited, as to whether or not property should be returned to its rightful owner, will not be made by anybody in this Legislature. That won't be made by police officers on the street. That determination will be made by, and only by, a judge, a judge who will hear all the evidence, consider the evidence, and then on a balance of probabilities will make a decision as to whether or not it is appropriate to return that money to the victims.

The reason that doesn't happen nowadays, the reason that doesn't happen without this new law, is quite simple. Individuals find themselves to be the victim of, let's say, credit card fraud or Internet fraud and they've lost the \$100 or \$200 to some unnamed entity out there. They could, in principle, go and retain a lawyer who would then commence a lawsuit, who would then proceed to court and argue the case in front of that very same judge, by the way—the very same individual would be the trier of fact. They could proceed to do just that. Ultimately, if they could find that individual and if they had the resources to proceed with the lawsuit and have it prosecuted and get a judgment, and if they were in a position where the judgment could be satisfied, they would be made whole. But realistically, practically, that doesn't happen very often.

What we needed to do was find some means, some mechanism, whereby those individuals could be given that power in a practical, reasonable way. What we've done here is that we have said that the state, the province, would act on their behalf, particularly in situations where you have multiple individuals, all of whom have lost amounts of money that cumulatively amount to a lot of money.

The state would intervene, with all sorts of safeguards in place, and I'll chat about those in just a moment. There would be a reasonable, functioning mechanism where the Attorney General would come forward, present a case and try to convince a judge, in reasonable cases, on a balance of probabilities, that it is appropriate to have the item seized or frozen or forfeited and somehow or another returned to the rightful owner. To me, that makes a great deal of sense. I can think of no reason why one wouldn't want to see that happen.

It's important also to remember that this is not a situation where the province of Ontario is battling with the federal government. This is not a situation where the federal government has said, "You're encroaching upon our territory. You're into federal domain. Stop. Don't do that." And it's not a situation, frankly, where I'm saying the feds should have done more in this regard, which is, by the way, true in many other instances, including in relation to the Young Offenders Act, where their actions have been woefully inadequate and have let down the people of this province and the country time and time again, and the successor legislation will be no better. In any event—I digress for a moment—this is a situation where both the federal government and the provincial government have taken time to stop and applaud each other on the initiatives they have brought forward, because it is through that sort of collaborative, combined approach, a united front in this battle, that we are going to be able to defeat organized crime.

I am pleased to say that in my discussions with Justice Minister McLellan, I have said to her that I appreciate many of the proposed changes she has brought forward to the Criminal Code. In fact, we talked about that just two weeks ago when I was in Ottawa for a federal-provincial-territorial meeting. Many of the changes that the federal government has suggested in relation to organized crime are welcome and thoughtful, and I applaud them for moving forward in that regard. I've also asked them to take further steps in certain areas in relation to organized crime, but I think what they have done is a good next step.

By the same token, the federal minister has said to me that she welcomes the civil forfeiture approach. She thinks Ontario is doing the right thing. She hopes other provinces will follow our lead, because it is another tool. This bill, this law, would be another tool that would be able to assist law enforcement personnel and the courts in doing the right thing.

I'm going to allow many of my colleagues to speak to this bill, because I know it's a matter of great interest to them as well, but before I relinquish the opportunity to

speak to this assembly, I do want to talk briefly about one of the changes that has been put in place, one of the safeguards in this bill.

It relates to an enhanced protection to personal privacy in relation to health records. There was some concern expressed about health records getting into the wrong hands. As a result of that concern being expressed, we did engage in rather lengthy and very productive discussions with Dr Ann Cavoukian, who many in this assembly will know is the Information and Privacy Commissioner. We talked to her at some length—I did, shortly after I was sworn in—about this issue and about the best way to approach it. It is trite to say that we can't simply run and hide from health care fraud. Where it exists, it must be prosecuted. Where money has been taken improperly, it must be returned. So we did dialogue with Dr Cavoukian and she was very helpful.

Dr Cavoukian, in a letter to my ministry, said she is satisfied that her concerns have been addressed. She also said that the bill "is far better, thanks to the level of co-operation," and I want to take this opportunity to thank Dr Cavoukian for her help and assistance.

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I think anyone who reviews this legislation, as the privacy commissioner did, would find quite clearly that there are appropriate safeguards in place, that no one need worry about health information getting into the wrong hands because of the passage of this bill. They should be relieved by the fact that if this law passes, there is now going to be legislation in place that will cause would-be criminals and those who would commit fraudulent activities in the field of health care, or any other field, to think twice, to think about not only the criminal consequences that have always been there and will continue to be there, but also to think about the practical fact that they may not be able to keep the property they have improperly obtained, that that property will be returned to the victim.

With the passage of this legislation, I think we will be sending a very loud and very clear message to all those who consider engaging in this sort of untoward, unlawful activity that we will not tolerate that activity and that the consequences of their engagement in that activity will not be ones they desire. The property will be returned to its rightful owner.

Mr Garfield Dunlop (Simcoe North): It's a pleasure to rise this afternoon to speak to Bill 30, the Remedies for Organized Crime and Other Unlawful Activities Act. I thank the Attorney General for his comments and for his difficult work on this bill.

Bill 30 has received considerable debate and deliberation both here in the Legislature and in committee. During second reading, Bill 30 received seven hours of debate, and so far during third reading it has been debated for four and a half hours.

It has also been carefully examined at the standing committee on justice and social policy. Its predecessor, Bill 155, was the subject of two days of public hearings. Experts from Canadian and American law spoke before

the committee, as did legal experts and concerned members of the public. They all offered a wide range of views on this bill. Bill 30 likewise appeared before the standing committee on justice and social policy, where it was the subject of clause-by-clause examination.

In total, Bill 30 has received a great deal of consideration by members of all parties.

The intent of Bill 30 is twofold: first of all, to use civil law to disrupt and disable corrupt organizations by taking away their illicit profits, and second of all, to help victims.

A British report found that most unlawful activity is committed for profit. That may seem self-evident in the context of this debate, but most people don't realize that organized crime is involved in a wide range of activities and they don't understand the impact of organized crime on their lives.

This point was highlighted in an Ipsos-Reid public opinion poll conducted in March of this year on behalf of the federal government. The poll found that three quarters of Canadians don't believe that organized crime affects their lives. When asked to identify definite examples of organized crime activity, 81% correctly identified drug importation and 78% identified drug trafficking. However, less than half of Canadians identified prostitution and car theft as definite examples of organized crime, while only 24% picked stock market fraud.

When the results were broken down by province, Ontario scored lower than the national average. In general, the public doesn't see the impact of organized crime in their lives. The public doesn't make the connection between organized crime and the quality of life in their communities or the costs they pay for services. The impact of these activities ripples outward throughout Ontario, beyond the direct victims.

One example is drug trafficking. The size of the illicit drug market is staggering. A federal study estimates the value of the illicit drug market in Canada is between \$7 billion and \$10 billion a year. Drug use leads to higher costs for health care and social programs, while the personal suffering of the drug users and their families can't be measured.

Drug trafficking is an illegal activity the public recognizes as organized crime. What about the activities they don't recognize?

In Ontario in 1999 there were 50,000 motor vehicles stolen—about 137 cars stolen each and every day. In Toronto during the same year, more than 18,000 motor vehicles were stolen, and that's about 50 a day. Ottawa and Hamilton, while having far fewer cars stolen in total, actually had far higher car theft rates per capita. This information was compiled by Statistics Canada.

The Insurance Bureau of Canada and the police say that most of these thefts are the result of organized gangs that ship these stolen cars to other cities, other provinces, even overseas.

So thousands of Canadians are victimized by organized crime each year although they may not even realize it.

Actually all of us are victimized by organized car theft. According to the Insurance Bureau of Canada, this activity costs the insurance industry \$600 million a year. It costs an additional \$250 million a year in police, health care and court system costs. These costs are passed on to each and every one of us.

The cost of stock market fraud in Canada was estimated to be more than \$3 billion, according to a federal study. The same study estimated that telemarketing scams cost Canadians \$4 billion a year.

Mr Rosario Marchese (Trinity-Spadina): Give it some passion, Garfield.

Mr Dunlop: I'd like to do the Emmy award presentation like the member from Trinity-Spadina, but I'd rather have the Hansard report it accurately.

These and other types of fraud extract both a financial and emotional cost on families. In total, organized crime is estimated to cost the Canadian economy up to \$9 billion a year.

The experts tell us that organized crime does not stand still. Organized crime changes with the times and creates new ways to make illicit profits. Commissioner Gwen Boniface of the Ontario Provincial Police, in speaking to the Ontario government's Summit on New Approaches to Fighting Organized Crime last year, stated, "Not only are organized crime groups tolerating each other, they are building the networks required for efficient business operations. This evolutionary nature presents new challenges for law enforcement as we are continually forced to play catch-up."

Just a quick comment on Commissioner Boniface: I don't know if everybody in the House is aware of it, but just last week she was given the Order of Ontario here in the provincial Legislature, and is very deserving of that prestigious award.

The challenging nature of organized crime is a global phenomenon. Authorities in other jurisdictions have noted that different groups and individuals will come together to collaborate in a scam and then go their separate ways after they've made their profits.

They understand the inner workings of the financial world and global commerce. They have the financial expertise to hide their illicit money and make it that much harder for law enforcement to track down the profits and return them to victims.

There is no doubt that organized crime is a real threat to our way of life.

We conducted thorough research before developing the proposed legislation. As a result, we were able to learn what works and doesn't work elsewhere. We have developed a made-in-Ontario approach to suit our province's specific problems and circumstances.

The United States, Ireland, Australia, South Africa and others use civil law to seize the proceeds of unlawful activities, disrupting the organizations behind the activities by taking away their profit motive. The United Kingdom is considering similar legislation and has released a draft for public discussion.

By focusing on the proceeds and assets, we would do the following: first, we'd remove the proceeds of unlaw-

ful activity and compensate victims; second, we would starve corrupt organizations of the capital needed for financing other unlawful activities; finally, we would deter the corrupt organizations from victimizing more people.

Bill 30, if passed, would allow the courts to freeze, seize and forfeit to the crown the proceeds of unlawful activity. It would allow the courts to forfeit assets that would likely be used as instruments or tools in the commission of future unlawful activity. It would allow the province to take to court two or more people who conspire to engage in activities that are harmful to the public. Most important, it would enable victims of unlawful activities that lead to forfeiture to claim compensation against those forfeited proceeds.

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Ontario consulted authorities in several other jurisdictions about using this approach. The international experts who spoke at last year's organized crime summit told the audience about some of their successes in applying civil forfeiture laws.

For example, Detective Superintendent Felix McKenna of the Irish Criminal Assets Bureau said that some people have simply left Ireland rather than risk losing the money they have made from unlawful activities.

Mr Marchese: How much?

Mr Dunlop: I'm not sure how much they've taken. We haven't got the data on that.

South Africa has also had its successes. It introduced civil forfeiture in 1998 and has seized more than C\$14 million. Certain people who were openly involved in unlawful activities and flaunting their wealth have had their assets removed by the South African authorities. In a short period of time, South Africa's civil remedies legislation has sent a strong signal to all citizens that the country will not tolerate those who are engaging in unlawful activities.

The threat to the people of Ontario is real. The people involved in organized crime do not stand still. It is our duty as a government and our duty to the people of Ontario not to stand still either.

With this bill, we are taking what we've learned and applying it to the made-in-Ontario strategy. As a result, we have proposed legislation that deters unlawful activities and helps victims, balanced with protection of property and privacy rights.

I urge all members of this Legislature to support this very important bill, and I appreciate the opportunity to say a few words here this afternoon.

The Acting Speaker: Further debate?

Mr David Tilson (Dufferin-Peel-Wellington-Grey): This is a time allocation motion and normally we'll hear the rants of the opposition as to how we're ramming this bill through and—

Mr Marchese: It's so unfair.

Mr Tilson: The member says it's unfair, but we have had a substantial amount of debate in this House on this bill and on the predecessor, Bill 155. Bill 155 was introduced back in December of last year. It was reviewed by

the standing committee on February 20 and 21, 2001, and it died on the order paper. Of course, this bill—

Interjection.

Mr Tilson: Mr Speaker, I'm having trouble from my friend here. He's interrupting me. He wants to hear—

The Acting Speaker: Order. Then you will address your comments through me and he will not say anything.

Mr Tilson: This bill has had, therefore, substantial discussion and it is a shame that we have to spend additional time with respect to having this bill passed by this House. The standing committee on justice and social policy did spend two days on the hearings. We heard from reputable speakers from the province of Ontario and from the United States. The chief of the Toronto Police Service, Julian Fantino, spoke to the committee. The Office for Victims of Crime, Scott Newark, spoke to the committee. There were some representatives who came from New York state, where similar legislation is in existence: the Office of the Nassau County District Attorney, Mr Robert Nigro; Mr Vaughn Collins of the Ontario Provincial Police. All of these people recommended that this legislation be introduced in this province and be passed, as it is working successfully there.

The United States has had it the longest in its history, as has been stated by the other two speakers.

Interjection.

Mr Tilson: They've been active since 1789, member from Trinity-Spadina—I believe that's where he is from. There's a long, long line of cases in the United States Supreme Court and all of the circuit court levels to learn from. There are at least 140 federal United States statutes that deal with civil forfeiture. Virtually every state has civil assets forfeiture of one kind or another. We focused on New Jersey and New York simply because they provided a comparative base for us to study.

A great deal of time has been spent by members of this House on the purpose of the bill. If passed, as indicated, it would allow the courts to freeze, seize and forfeit to the crown the proceeds of unlawful activity as well as assets that could be used as instruments or tools in the commission of unlawful activity. Our American friends indicated what happened to many of these assets. Ultimately, after a conviction has taken place, these seized assets which were used to commit crime and organized crime activity were then used against the organized crime. So it has been most successful in the American jurisdictions.

The second purpose of this legislation would be to take to court two or more people who conspire to engage in activities that harm the public.

Third is to enable victims of unlawful activities to claim compensation against these forfeited proceeds.

Mr Borovoy I think was one of the civil liberties people who were trying to put forward the view that this was against the civil liberties of individuals.

Mr Marchese: And what do you think?

Mr Tilson: In answer to your question, no, I don't think it is. I think this legislation is civil legislation. It's not criminal legislation, as has been suggested by others.

It will focus on property, the proceeds and assets, and not on individuals. The Criminal Code, of course, focuses on individuals. The civil actions under this legislation would be entirely different from criminal prosecutions. So, as the Attorney General has stated, Ontario would continue to investigate and prosecute organized crime figures in criminal court.

In the budget, our government committed \$6 million annually for police and dedicated crown attorneys to enhance the comprehensive multi-pronged approach to combat organized crime. When charges are laid, dedicated crown attorneys will prosecute the cases.

So with the legislation which is under debate here today, we recognize that Ontario would be breaking new ground in Canada if this legislation were to be passed. I do recommend that all members support the legislation.

In each of the countries that I and other members have indicated—South Africa, Ireland, Australia, the United States—authorities have successfully used civil law to seize the proceeds of unlawful activities and to hit the corrupt organizations behind these activities where it really hurts, and that's in their wallet.

There is a need for this legislation. To quote Vaughn Collins, who is the deputy commissioner of the office of provincial command, investigations/organized crime unit, who spoke to the committee on Bill 155 on February 21 of this year, "Over the past 15 years there has been a dramatic increase in the number of established criminal organizations in Canada. Their primary goal is the acquisition of wealth and the pursuit of power. Organized crime activities affect the lives of all Canadians, socially and economically. The average citizen would probably identify the crimes of drug trafficking and illegal gaming as associated with organized crime groups. Today, organized crime groups are involved in a wide range of criminal activities which include money laundering, prostitution, illegal immigration, alcohol, tobacco and weapons smuggling, securities fraud, credit card fraud, document fraud and telemarketing."

With that need, we believe that this legislation will assist in combatting organized crime in the province of Ontario.

1620

Mr Bruce Crozier (Essex): I'm pleased to rise this afternoon and speak to Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities. As my colleague suggested at the outset of his comments, the member for Dufferin-Peel-Wellington-Grey, I won't rant on about this being a time allocation motion; I'll just give my normal objection to the fact that, when it comes to important legislation such as this, crime legislation, I would hope that every opportunity is given to every member in this Legislature to speak to it. But once again we find ourselves with a motion to limit debate, and because that's an unfortunate habit of this government, we're going to have to contend with it.

I can say at the outset, of course, and I suspect that other colleagues of mine have said, that we support this bill. The government has reintroduced what was Bill 155,

which died on the order paper after the previous session, which would allow the crown to use civil legal proceedings to seize assets through criminal activities, using a civil standard of proof, that being the balance of probabilities.

The major amendment to Bill 155 was the removal of the so-called J. Edgar Hoover clause that would have permitted the collection of personal information, including health records, without any court or other supervision. The reason that we were so concerned, at the time, that this clause was in the previous bill is evidenced by the fact that, just in the last few days, health records have been able to be obtained through hacking on the Internet. That goes to show how absolutely imperative it is that we take every step we can to retain the privacy of one's individual health records. I suggest that there isn't anything about ourselves that is more private than our health records. There are things that we tell doctors that we would not tell anyone else, in some cases not even family members. So I am pleased that in this version of the bill, in Bill 30, the J. Edgar Hoover clause has been removed.

The bill, though, would allow the Attorney General to seek a court order ordering the forfeiture of property that is the proceeds of unlawful activity. A similar action or application may be brought concerning property alleged to be an instrument of unlawful activity. A court would have to hold a hearing in order to determine whether the property would be forfeited. The court proceedings occur in a civil court in this case, even though we are talking about proceeds of crime. Accordingly, a person who is not yet subject to criminal proceedings may still have his or her property seized. I think we have to take into account how serious that is. Our civil liberties, our right to justice, our right to a trial, our right to be presumed innocent until proven guilty are one of the foundations of our country and of a western democracy. Yet in this case, we have to be very careful to understand that, under this bill, action can be taken when someone has not yet been charged. Notwithstanding that, before the final hearing for an order for forfeiture, the Attorney General can bring an interim motion to have the property in question seized and preserved. The interim motion may be made without notice to the respondent, meaning that the property owner won't get a chance to respond. Again, we have to caution government officials, and I know the court will be cautious, that these steps not be taken lightly. This is our inherent right. Property is something that we hold dearly. The actions taken under this bill must be taken very carefully.

"Any unlawful activity" is an act or omission that is an offence under any federal or provincial law. An offence may be found by a judge even if no person has been charged with the offence, as I have said, or where charges were withdrawn or stayed or the person was acquitted on the charge. This definition is so broad that someone who contravenes, for example, the Bees Act, which outlines the responsibility of beekeepers, could have his or her property seized. Liberals did seek some amendments to the bill that would prevent this. I know

that's an extreme case, and that's why I point out that this legislation will only be used in those extreme cases and when those who make the judgment can be reasonably assured that there are criminal offences involved.

When property is forfeited, the Minister of Finance may make payments from the property to victims. The crown or a municipality, for that matter, can have payments made to them in the case of losses that they have incurred. The Attorney General may bring an action or an application for any order the court considers just, where two or more persons conspired to engage in an unlawful activity and the activity resulted in injury to the public. The court also may order that the injury to the public be prevented or reduced. The court may also order that damages be awarded to the crown.

In the first draft of the bill introduced in the fall of 2000, there were significant concerns about the protection of personal and health information, as I outlined initially. The bill, thankfully, has since been changed, and the Information and Privacy Commissioner is now satisfied that adequate protections for personal and health information exist. Again, I refer to the recent incident where health information has been obtainable by hackers through the Internet. The Information and Privacy Commissioner in that case had been informed throughout the whole process as to what it was the Ministry of Health intended to do. What happened, though, was after the commissioner had understood what process was being used, there were other mitigating circumstances that weren't passed on to the Information and Privacy Commissioner. Again, I caution the government or anyone who may use this legislation once passed that they be very careful how that information is used.

A gatekeeper will be appointed by the Attorney General, and that gatekeeper must oversee the collection of any information. A court order is required to collect any personal and health information.

Now I'd like to just briefly tell you why it is that we in the Liberal caucus and our leader, Dalton McGuinty, agree with this bill and support the bill. There is a well-established link between organized crime and terrorism, which has been recognized by Canada through the United Nations General Assembly resolutions. Bill 30 would permit the seizure of assets of organized crime and terrorists alike, hitting them in the pocketbook, as recommended by CSIS and other security experts. That we agree with. What is crime all about? It's generally about profits. If you can hit criminals in the pocket, we agree with the government that that's the right thing to do.

1630

It might be interesting to note that Ontario has lost over \$1 billion to organized crime just since this government took office. We're falling behind in the fight against organized crime and this bill is a step in the right direction.

I've commented in the last few days that we've used the term in this Legislature "first steps." Our concern is often that there's no second step. In this case, we agree, again, that this is a step in the right direction. I hope and

expect that the government of the day will keep their eye on this legislation and if there are any problems that arise with it, those will be dealt with expeditiously.

There are some problems with the bill, though, Speaker, and that's what we want to bring to your attention and to the attention of the government. We hope that when it passes—and I have no doubt this bill will pass—we will keep an eye on these problems.

Unless the government commits an army of forensic accountants and prosecutors to enforce the bill, we are concerned it will be rendered useless. In other words, we can't just use this for public relations. We can't just say to criminals, "You better behave because we have this kind of protection under the law." It's something that I think we will have to be aggressive in enforcing.

We in the Liberal caucus are wary of supporting anything that is simply a public relations issue and will hold the government to its commitment to beef up enforcement on both the criminal and the civil side of fighting organized crime.

This government has only committed some \$4 million to fight organized crime, when we all understand the extent of organized crime, not only in Ontario but trans-border in the provinces. That amounts to a staggering \$7 billion a year in Canada.

The government has repeatedly reannounced this initiative but they haven't taken any action until now. I hope, when this bill is passed, that it receives speedy royal assent and is enacted.

This initiative was first announced in the Toronto Sun in May 2000, a year and a half ago. The Attorney General of the day, Mr Flaherty, attended four summits on organized crime—in Vancouver, New Jersey, Delaware and Washington. Then in August 2000, Attorney General Flaherty hosted a summit on organized crime in Toronto.

Mr James J. Bradley (St Catharines): He must have a lot of frequent flyer points.

Mr Crozier: I would imagine he does have a lot of frequent flyer points and is probably going to get more in this leadership race.

The government introduced this bill in the fall of 2000, as I and others before me have said in the Legislature, only to let the bill die on the order paper late last year.

Ontario Liberals have significant concerns that the bill is overly broad, potentially capturing activities that have nothing to do with organized crime. We had hoped that some Liberal amendments would be accepted on this, but, as has often happened in the eight years that I've been here, opposition amendments aren't received as being very friendly, and unfortunately this bill hasn't been amended to the extent we would have liked.

There are already significant powers of seizure available to the crown under the Criminal Code. The Attorney General just a few minutes ago acknowledged that, and acknowledged that he had worked with the federal Attorney General in drafting and working on this legislation and that this is not anything in opposition or

opposed to federal criminal legislation but that it is intended, through the civil courts in Ontario, to enhance that.

In committee hearings, Professor Margaret Beare of Osgoode Hall Law School said, "Ontario is the province that tends to use" this, the existing power of seizure under the Criminal Code, "less than some of the other provinces." So therefore, as I said before, we hope that this legislation is used in a very proactive way.

I just want to point out that it was our leader, Dalton McGuinty, who aggressively brought to the Legislature our concerns about the so-called J. Edgar Hoover clause that was previously in the legislation and that we wanted to be absolutely sure and ensure that privacy protections were put in place in this bill. Ontario Liberals support the efforts to crack down on crime and its causes. I can say that with all sincerity. I don't think there's anyone in this Legislature who doesn't want an aggressive stance taken by the government of the day on crime. We in the opposition will put the government's feet to the fire to ensure that resources are committed to this bill to ensure that terrorists and mobsters are hit hard in the pocket-book.

It's a bit unfortunate that probably within the next couple of days this Legislature will be recessing for what may be four or five months. We've made the offer that we will come back next week or next month and support any legislation that's on the order paper that would help fight crime. In fact, I might point out that at the present time there are some bills that I would hope we'd have the opportunity to deal with before this Legislature breaks in addition to this crime bill; for example, the Victim Empowerment Act, which is at the second reading stage. We would hope that the government sees fit to bring that forward. We would hope the Prohibiting Profiting from Recounting Crimes Act, Bill 69, gets brought forward.

Mr David Caplan (Don Valley East): Bill 134.

Mr Crozier: Bill 134, thank you. We would hope Bill 134 is brought forward as well.

As I said, we're willing to sit next week, we're willing to come back next month, because there is a lot to be done. There's a lot to be done in just a day and a half, and we want to support the government in those areas where we feel the legislation would be tough on crime, and other pieces of legislation as well.

So I conclude by pointing out once again that although we have some reservations with this bill and although we won't be in the Legislature to keep the government's feet to the fire, we will be busy in our ridings and back here at Queen's Park from time to time in order that we may see that this legislation, once passed, once enacted, becomes effective.

The Acting Speaker: Further debate?

Interjection.

Mr Gilles Bisson (Timmins-James Bay): If anybody wants to know what that was all about, I looked at my colleague, saying, "Is my tie straight?" Now I have no idea.

Mr Caplan: Now I feel like his mother.

Mr Bisson: No kidding. Does it look OK, guys?

Interjection.

Mr Bisson: Thank you. I've got to fess up one way or another, so if it's crooked you'll know I didn't look in a mirror.

I've got four of our colleagues, including myself, who want to speak on this time allocation motion for a number of reasons. I want to deal specifically with the time allocation portion and I'll leave our critic and others to speak about the details of the bill.

1640

You will know that this is not the first time the government has brought a time allocation motion to this Legislature. In fact, it is now the norm. There are very few times in this Legislature under this current regime that we have seen the government actually introduce a bill that went the regular course when it comes to passing through this House. I think that is really a problem, not only for us in the opposition but, I would argue, for the government and backbench members as well. I think it speaks to the point that this Legislature has become dysfunctional as a result of the various rule changes we've seen in this House.

To the government I'm going to say you're greatly responsible for that, but you're not the only ones. All parties, quite frankly, have had their hand at changing the rules in this Legislature, to the point we are now, that there isn't really good debate any more where there is an exchange of ideas to bring to the floor of the assembly the points our constituents raise with us with the full knowledge that the government might listen and make amendments to legislation.

I bring to your attention, for example, my good friend Tony Martin, who right now is working on the Ontarians with Disabilities Act. He has travelled the province with the committee for a mere five days. We've had to do that during the session. In many of the places people have gone, they have found there was not adequate time to deal with the issue. But the point is, there are a number of really good amendments that Mr Martin is trying to put forward on behalf of the disabled community at committee as we speak, and the government has time-allocated the bill to the point that there is virtually no time to deal with the amendments. Even if the opposition was to have the time, there would not be an attempt on the part of the government to make any changes to their legislation because the rules in this House have made it such that a government can pass anything it wants and doesn't have to have due regard for the process of the Legislature or for what opposition members have to say. I say that's a really sad point and that we need to change the rules in this House and we need to find a way to make this Legislature work yet again for the people of Ontario.

I, as an individual and also as a New Democrat and as the critic on this particular issue, want to speak to that issue. There are a number of things that I believe we need to do, and I want to propose what we could do in order to make this Legislature work well. Our party, the New Democratic Party, under the leadership of Howard

Hampton, is presently working on a number of issues, and has been for the past six or seven months, that deal with the whole issue of democracy and how people can find a voice in this Legislature. Part of the issue is what happens during elections. The other part of it is how the House deals with business once it gets here.

We as a party will propose that when it comes to elections, the provincial government should be selected by means of a different type of balloting system. We believe the current system of first past the post, where the provincial government gets elected on 43% or 44% of the vote, as in the last election, and clearly has over 50% of the seats in the House, is really the wrong way to go. Canada and Great Britain are the only ones that use that system today. Every other Parliament, every other Parliament that is based on the British parliamentary system—New Zealand, Australia and all others—has moved to proportional representation. Even the Mother of Parliaments is now talking about moving to a PR system.

I would propose as a New Democrat that we move to a PR system. If elected as a government, the NDP would move forward with legislation that would change the electoral process to move us to a PR system. The model, I think, could be debateable. Some argue, as the Liberals have, that there should be a referendum by which people would decide what the model is. I think it's much better, quite frankly, to propose a model.

The model I would propose is very simple. There are now 103 seats in the province of Ontario. We would have an election as we do all the time. There would be 103 ridings and in each of those ridings there would be candidates who would run. The member elected would be the member first past the post, just as now. The only difference is that after the election you would look at the percentage of the vote each of the parties got and you would adjust the members in the House by the percentage of vote they received in the election as parties. So in the last election, Mike Harris, who got 43% or—

Mr Bradley: Did you propose this in 1990?

Mr Bisson: That's what we should have done in 1990 or 1987 or 1995. The point would be, if the Tories got 44% of the vote, they would be the government but they would only get 44% of the seats in the House, and each of the opposition parties would be adjusted according to their percentage to make sure there was proportionality in this House. Why? Because that way at least there would be an opportunity for the government to have to listen to what the opposition parties say. Every person who votes in the province of Ontario would have their vote count for them, because no matter where you were, no matter who you voted for, you would know that your vote counted for two reasons: (1) because your member who is elected would obviously have more ability to make sure the views of the constituents are heard; and (2) no matter how and where you vote—for example, if you live in the riding of Timmins-James Bay, where the Conservative Party is lucky to get 10%, the person would still be able to vote knowing that the percentage of vote

would count toward the overall aggregate of the party. If you're a New Democrat, a Liberal or a Tory, if you're voting in a riding that's strong or weak for your particular political party, your vote would count in the end, and that to me is very important.

The other issue is that I would move toward trying to change the rules of the House. I believe the only way we're ever going to change the rules in this House, quite frankly, is when we're in a minority Parliament. I don't believe that any government coming to power is going to make the changes to the rules that need to be made. I know that Mr Stockwell mused today about the idea of making some changes, but I believe the only way that's going to happen is if we move to a minority Parliament.

I would propose that we do a number of things. The first thing is we have to accept that a government that is elected has a right to pass legislation. There's no argument. I don't argue, at the end of the day, that the Tories don't have the right to pass legislation. That is how our democratic system works. But we must be able to temper the power of the government to pass legislation in such a way that they at least have to slow down, listen to what the public has to say, take into account what the public has to say through their politicians in the opposition or the backbench of the Tory government and make changes accordingly.

One of the things we could do around here is change the rules in the Legislature to temper some of the power of the government, so they don't have the ultimate power they do now to pass legislation. I would remove the whole issue of time allocation from the rules. That's something the NDP did that was totally wrong, in my view, and something this government has accelerated beyond where we thought it was ever going to go.

There are a number of other things I would do to the rules, but in the few minutes I've got left I wouldn't have enough time to cover them off. I just want to end with this: when we were the government, the Tories while in opposition for a long time argued that they were going to be different. I was part of a government that invoked closure, I think, some 20 times in the five years of our government. The Tory party at the time made us believe that if they were the government they would never invoke closure in the way the NDP had or the way the Liberals had before us; they were just as bad as far as I'm concerned. These Tories, on being elected, have moved to closure on almost every piece of legislation the government has introduced over the last number of years. We now far exceed the 20-some time allocation motions that were put in place by the New Democrats and the equal number of time allocation motions that were put in place by the Liberal government.

I say this government doesn't walk the walk. This government said one thing while in opposition and is doing something quite opposite now that they've come to government. Quite frankly, that is a breaking of a promise. The Tories said very clearly that they were not going to be bullies in the Legislature, that they would listen to the opposition, something they haven't done. By way of

this time allocation motion, I have the opportunity to raise that issue and to propose what we would do as a government. I know that other colleagues in my party would also like to speak, and I'll leave the rest of the time for them.

Mr Marchese: It's good to have an opportunity to say a couple of things—not a lot, because so many others want to speak in such limited time, as you all know. When we move closure on most of these bills, it's tough. Of course, the government argues, "It's time to move on; we've had enough debate." So much so, they argue, that we even had a bill that was introduced in the previous session very much related to this bill.

Mr Tilson: You do go on and on and on.

Mr Marchese: I want to say to my friend from Dufferin-Peel, because he was one of the three who talked about the fact that there was a similar bill before—I wonder to myself, and you good taxpayers probably wonder too, if this bill was as important as they claim, why they couldn't have found the time to pass it in the previous session. If indeed we have had so much debate on this issue and if indeed it is so important, please pass it in a timely way. This is a reintroduced bill. I have to say, taxpayers, that it is my view as a non-lawyer that much of what the Attorney General wants to do by way of using civil law to freeze, seize and forfeit to the crown the illegal profits of organized crime is already achievable by current common-law laws. They can do it. The problem is they want to introduce a bill that makes it appear, once again, that this government is tough on crime.

1650

Ms Marilyn Mushinski (Scarborough Centre): We are. We are.

Mr Marchese: Yes, but Marilyn, you're as tough on crime as you were with the bill that pretended to give rights to victims through the Victims' Bill of Rights, only to discover from Judge Day that there were no rights in it. That's how really tough you are. You are so tough that you pass bills that have no power in law. That's how tough you are. The only thing you can go after, Marilyn, are squeeze kids, because then you can show how tough you are on crime. You go after those poor little squeeze kids, right? That's the kind of power you've got. It's like the power to beat up on little kids, right? And you need to pass a law to do that. As if you don't already have the power to do that, you need to pass a law to go and beat up on little kids cleaning cars. That's how tough you people are. Is that really tough? I don't know. I don't see it. It's like being a parent who wants to beat up his child. Why? Because you can if you want to.

All this is about politics. It's about the perception of going after organized crime. You just have to say, "We are against organized crime and we are going after organized crime, unlike any other government before," and by saying it you hope the taxpayers watching are going to believe you. It's really all about that. There's nothing more to it. If 90%, more or less, is covered by common law at the moment, why is it you need a bill? You need it

because you want to pretend to the people of Ontario that that's not good enough and you want to be tougher on crime.

We have argued in this place that the Criminal Code exists. The provisions of the Criminal Code use a criminal standard of determination of a crime that must prove beyond a reasonable doubt, and we believe that standard is the most appropriate standard to use when you're going to go after someone who may have committed some crime.

The problem with this bill is the government is saying it should have the right to seize property and money when there hasn't even been a conviction or when an individual has been found not guilty. That's the kind of power you are giving yourself and the police. That worries many of us. For you to give yourself the power to seize property and money when there hasn't been a conviction is worrisome, and that's why we're opposed to the law.

We won't argue like some other members here that we're going to keep an eye on you after you have passed the bill. It's not going to work. The point is to prevent the government from doing something that we think is going to be harmful in some cases to some individuals, and to do it before they put it into place, not to argue that once you've passed the bill we will be vigilant to make sure the innocent will be somehow protected. That's not the way it ought to work.

One individual, Tom Naylor of the Nathanson Centre, says this: "Organized crime is mostly made up of small-time operators with short career life expectancies, whose earnings are generally modest and almost always blown on fast living, leaving little or nothing left to seize. Forfeiture will, at best, fill the coffers with trailer homes, cars and motorboats of ordinary citizens with no sign of the narco-barons, mansions, yachts or gold-plated bathtubs."

These people, we presume, are experts in this field and they're saying you're not going to get the gold-plated bathtubs. You're going to go after some individual who commits these petty crimes, and you'll be able to get to some of them that the Criminal Code isn't getting. That's probably true. My point and our point is: at what cost? It's at that cost that we worry about the nature of this law, the purpose of this law and the effectiveness of this law with respect to what you're trying to accomplish.

David, you're a lawyer. I don't get it. You're a lawyer. So many of you are lawyers. Some of you lawyers frighten me, I've got to tell you.

Mr David Christopherson (Hamilton West): Forgive them.

Mr Marchese: Forgive them, for they do not know what they do. They're lawyers, for God's sake. They ought to be using a higher standard. There ought to be a higher threshold for them to argue these cases, but I'm not quite sure what the heck they argue in this place. They frighten me when they do that.

The standard we use under civil law is a lower standard that, in our view, potentially threatens many innocent

people. So it may not accomplish what you set out to do. In fact it may endanger some. All for what, if the current code allows you to do it?

Mr Tilson: I'm not talking about—

Mr Marchese: What are you talking about?

Mr Tilson: I'm talking about civil proceedings.

Mr Marchese: What am I talking about? I'm not even a lawyer? What am I talking about? Yes, I'm talking about civil proceedings; that's what I'm talking about.

Interjection.

The Acting Speaker: Order, the member for Dufferin-Peel-Wellington-Grey. The member for Trinity-Spadina has the floor.

Mr Marchese: Common law already gives you that power. I know you want to codify it, because in some ways you think it'll be much more effective if you do that, and some of you will argue that. I argue, being a non-lawyer, at what cost? Do you want to use the lower threshold? David, at what cost? All because you, Attorney General, want to be tough, right? You want to be perceived as one tough Attorney General. David, the other lawyer, from Dufferin-Peel, wants to be seen as tough too because he knows, when they do polls, that appearing to be tough is the way to go.

Is it effective? It doesn't matter. Do the people like it? Yes, because the polls they do with our taxpayers' money reveal that when you appear to be tough on crime, it works. That's what the member for Dufferin-Peel knows. Any lawyer would know that, but you don't have to be a lawyer to know that. Most of the other guys know the same. You do polling, you come back and you say, "OK, what law are we going to pass next to beat up on somebody or other?" The only thing you're good at is being tough on those little squeegee kids cleaning windows.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): Why do the police chiefs support it?

Mr Marchese: They love power, of course. The chief of course loves to have power and to have more power, as much power as you can give him. What the chief also wants are more policemen and policewomen on the streets, which you haven't given them in the last six years.

Ms Mushinski: No, that's not true.

Mr Marchese: "It's not true," they say. Of course they're going to say it's not true. So who's telling the truth?

Mr Tilson: We are. We're telling the truth.

Mr Marchese: The member for Dufferin-Peel, the lawyer, is telling the truth. What the chief wants are more men and women policing those streets, which they don't have. They had more under the NDP in a recession than they get with this government in good economic times. I know it's hard to believe, David. I know you want to shut your ears to it. The member for Dufferin-Peel will insist, in spite of all the facts—by the way, Speaker, he doesn't have the facts in front of him, so he can claim, with all legitimacy, that of course there are more policemen and

policewomen on the streets than ever before. He can claim it and he says it. It's irrelevant.

Mr Christopherson: If he says it often enough, he believes it. It doesn't matter if it's true or not.

Mr Marchese: They all say they believe it. "Oh, yes, we have more." The member for Dufferin-Peel, I know. Just look at the numbers. Ask somebody in your ministry, "Is it true what Marchese is saying? Is it true what Mr Christopherson is saying and the critic from Niagara Centre? Is it true that there are a thousand fewer men and women on the streets today than there were in 1994?" Just ask them, and then come back in this House and say, "Marchese, you were wrong." Just do that for me. Can you do it? You're a lawyer. You'd be able to do that rather quickly. Ask the Attorney General to give you that info. The Solicitor General would have that info.

We are opposed to this bill and we say it clearly. We're not frightened to say to the taxpayers of Ontario that this bill will not accomplish what they want. It won't do it. The Criminal Code exists and it's more effective. Common law exists at the moment to be able to get to this issue in a way that protects innocent people, and that's what we are about as a party, and that is why we are opposed to this bill, unequivocally and very clearly.

1700

Mr Bradley: This is indeed an interesting bill, but what's even more interesting right now is the time allocation motion that faces us. For the people who are watching this perhaps on their television sets at home, I should clarify that. That is the choking off of debate, the ending of debate or the government allocating how much time there shall be for the debate on a piece of legislation. We are operating in this Legislative Assembly at this time almost exclusively on what are called time allocation motions. That's most unfortunate, because it's what you would call anti-democratic. Is this the first government that ever used a time allocation motion or a closure motion? No. But this government has consistently used these motions to pass legislation through this House even after this government imposed upon the Legislature drastic changes to the procedural rules of this House to grease the skids for legislation that it deems appropriate for the province.

The best way to deal with legislation is to have the government sitting most of the year so that it can receive careful analysis and debate in this House and in committees and, in fact, in committees that travel across the province to get meaningful input. We do not have that.

People at home will be surprised to know that this government actually wants to end this session this Thursday. Most people I know have to work virtually to Christmas Eve. That is, they're on their jobs doing primarily what they do until virtually Christmas Eve; they have Christmas off and perhaps Boxing Day off. They might even have that week off between Christmas and New Year's and New Year's Day itself. It makes sense, it seems reasonable.

In this Legislative Assembly, this government wants to end everything on the 13th, pack up and head out for

about five months. Our House leader, Dwight Duncan, MPP for Windsor-St Clair, has written a letter to the government House leader saying we're happy to come back next week, we're delighted to come back in January. I always hear these people talk about the federal government. I never hear them say that the federal government brings the House of Commons back into session at the end of January, the last week of January. In this Legislature, it is likely these people will not bring the House back till April or May of next year. That will be about five months without the House in session, without the government being accountable to the elected representatives of the people of this province.

You say that to people and they look at you as though somehow you're putting one over on them. "That can't be," they say, "because I turn on the television set and I see the Parliament on." The Parliament they will see, of course, is the federal House of Commons, which is in session in January, February, March, April, May, June, while this House does not sit.

This does not mean—I like to be fair-minded—that members of this assembly are doing nothing during that period of time, but it eliminates the opportunity for the kind of scrutiny we need. Of course, people in Perth, people in Algoma-Manitoulin, people in Hamilton West and people in Oakville are looking for the people sitting in the chair and wondering where they are. "Where is the person we know affectionately as Bert Johnson in this House? We don't see him in the chair. David Christopherson, we don't see him in the chair. Mike Brown, we don't see him in the chair, and Gary Carr." We know each other by these names. It's not appropriate in the House to call each other by those names, but people will wonder where they are.

We could be spending time dealing with other pieces of legislation if this bill would go through, and I think if there was an agreement or a package of legislation that was put together, you'd see some pieces of legislation such as this moving more quickly.

But I have a situation in my riding you would be familiar with where the executive director—as I refer to the person—of the community care access centre appears to have lost her job. This is what the St Catharines Standard had to say about it:

"Cathy Chisholm, outspoken chief executive officer of Access Niagara, was recently forced out of her job, the Standard learned on Monday. Board chairman Ross Gillet, who disagreed with the way Chisholm's contract was handled and also with the proposed provincial legislation that will change the way access centres are governed, resigned November 28."

This is startling in our area because we had a very good community board; top-notch people in positions, and they're being fired out the door. I wondered why this was happening and then I read what my colleague from Niagara Falls, Bart Maves, had to say. It says:

"Niagara Falls MPP Bart Maves, who is parliamentary assistant to Health Minister Tony Clement, said ... there will be some 'new blood' brought into boards and senior staff positions across the province."

I think the member for Niagara Centre would agree with me that probably he didn't mean new blood, he meant blue blood, because I see now appearing on these boards across the province well-known Conservative financial supporters and Conservative adherents who will be silent—the cat will have their tongue—in their criticism of this government.

Make no mistake about it, if we were dealing with that bill today, the bill that establishes the new regime for community care access centres—in other words, the hostile takeover of community care access centres—we would clearly be able to expose the fact that it's all about muzzling the people who are critical of this government. When the boards and employees of community care access centres—that's the home care deliverers in various parts of the province—dare to be critical of the government, they end up losing their jobs or having to leave the board. So we're going to see a brand new regime. Bart Maves says new blood; I say blue blood is what we're going to see on those boards.

I would like to be dealing further with that legislation, to persuade the government, and perhaps be prepared to move this kind of legislation, but this government makes no such proposal to the opposition. So our only conclusion is that we should come back next week and in January and perhaps in February to deal with legislation that is before the House.

Right now, the trick that they're using—and the NDP and Liberals know this—is they phone their various groups and say, "Phone the opposition and tell them to stop delaying the legislation."

Mr Rick Bartolucci (Sudbury): I've gotten those calls, Jim.

Mr Bradley: The member for Sudbury has had those calls. We've all had those calls.

I explain to the people, "Do you not remember when the Mike Harris government imposed new procedural rules on this Legislature which allow the government to dictate the timetable and the schedule for all legislation?" I also tell them, "You might want to tell the government to come back earlier instead of coming back so late in September." They sit day and night and they still are unable to get their legislation through. So that's one problem we have out there that we should be dealing with.

This bill will require financial resources to implement it. I want to say again in this Legislature, because you can never say it too much, that I think the government members, in their heart of hearts, know what I'm saying is right. I don't expect the cabinet to agree with this, but the government members, in their heart of hearts, know that there's a panic on in the office of the Minister of Finance, and the panic has spread to the Management Board of Cabinet. The reason for that is they're implementing these huge, enormous tax cuts, the kind of tax cuts that Jeb Bush, brother of the President of the United States, is saying, "We can't afford these tax cuts and provide services. So in Florida, we're going to forgo those tax cuts." That's what they're going to do. So I understand the panic that has set in.

1710

Interjection: He's a good Republican.

Mr Bradley: A good Republican, says the minister.

In case some of the government members didn't know it, panic has set in in the finance minister's office, because he realizes he's going to lose \$3.7 billion in tax revenue because he's unwisely proceeding with yet another round of tax cuts.

Interjections.

Mr Bradley: I disagree with that as well, I say to the member.

Some \$2.2 billion for the corporations, \$500 million for the private school tax credit that I know some of you don't agree with, and about \$950 million to \$975 million in more personal income tax cuts. Anybody I talk to says, "Forget about the tax cuts. Invest in health care." After the federal budget, we had the solemn face of the Premier and the angry face of the Minister of Finance blathering on about wanting more federal money. What they want the money for is to pay for the tax cuts. I don't blame them for wanting more money, because they're losing so much money to these tax cuts that they're having to make big cuts in government services or they're going to have to run a deficit.

The Honourable Chris Stockwell, the Minister of Labour, says, "No more tax cuts. I can't promise to proceed with these tax cuts." I understand today he also introduced a package of reforms designed to attract more backbench members of the caucus to his cause, something about formulating government policy and backbench involvement. He is what you'd call—I'd like to say "delegate-challenged," but that's not correct. He's MPP-challenged right now in terms of his support, so perhaps this will gather more on the government side to his particular cause.

Mr Jerry J. Ouellette (Oshawa): Are you giving him a plug?

Mr Bradley: I wouldn't call it a plug. I'm happy to see that he finally agrees with the Liberals. He finally agrees that you can't have these tax cuts and have quality health care, education and environment, and, of course, the implementation of this bill through the resources that are required to implement it.

I also see in our communities, and I'm sure most members would agree that this is the case, a deficiency of accommodation and services for people who are developmentally delayed. What happens is that these individuals, when they are children, are often looked after well by their parents. There are some real challenges there, some difficulties encountered, but they are looked after by their parents. Then they become a little older, get into their late teens, into their twenties, into their thirties. These individuals are not going to develop further in terms of their intellectual abilities. They are people who have disabilities, and they require our assistance. What happens is, the parents lose control. Perhaps there's violence in some cases, depending on the particular challenge the person faces, and they are beside themselves

looking for accommodation. We simply do not have that accommodation.

Again, I would say that most people would say, "Please don't give me a further tax cut. Provide some accommodation for people who are in this category." The parents who are having great difficulty, and the individuals themselves, through no fault of their own, require some government assistance.

Today, the Leader of the Opposition and the member for Prince Edward-Hastings raised the issue, as we in the Liberal caucus have on a number of occasions, of macular degeneration, the wet form of macular degeneration, which can be helped using the drug Visudyne.

Interjection.

Mr Bradley: The question was—I believe it is the wet form. It's age-related. We had a person in the members' gallery today who is afflicted with that situation.

I thought the Leader of the Opposition put it appropriately: the role of government is to help people like that. The individual who was in the gallery was a person who had paid her way through society, raised her kids herself, had a job out there, tried to work hard, lost the sight in one eye and is losing the sight in the other eye. According to the Minister of Health, at least five other provinces, and perhaps two other provinces to a certain degree—so that's seven provinces out of 10—actually provide funding to look after macular degeneration. We have raised this on numerous occasions. It appears to be a bureaucratic bottleneck in the best of cases, and simply an exercise in saving money in another case.

Mr Ouellette: I think it's ideology.

Mr Bradley: The member for Oshawa and I have engaged across the House in some questioning and discussion on this. I understand that you can't simply pull a drug or a treatment out of mid-air and say, "Away you go with it," and finance it, but this has been approved. Approval goes through Health Canada for any of these drugs or treatments, so it's approved in a medical sense. Seven provinces, in one way or another, assist in meeting the cost of Visudyne.

Mr Ouellette: Does it help people with gene problems?

Mr Bradley: It is hard to say how many people it will help.

Hon Mr Young: On a point of order, Mr Speaker: I know that the members opposite have expressed some concern about the lack of time that is available to debate the organized crime bill, yet during this very time when we are discussing that matter, we have my friend talking about subject matters that seem to have absolutely nothing to do with the matter at hand. I wonder if he might direct his comments to the issue.

The Acting Speaker: As you know, we are speaking to a motion referring to time allocation. Those debates can be very broad in that people can talk about issues that may be foregone etc. Given the fact that they are also time-allocated to caucuses, the Speaker will permit a little bit of latitude. The member for St Catharines has

maybe wandered a little far, but I am sure he will relate that back to the particular motion.

Mr Bradley: I understand, as members on this side will understand, that that is a touchy subject with the government. I understand that. I understand why the Attorney General of this province does not want me to talk about the problems of developmentally challenged individuals in this province and why he doesn't want me to talk about those who are having problems with macular degeneration. I understand that. We're talking about a time allocation motion.

Hon Mr Young: On a point of order, Mr Speaker: I wonder if you might rule as to whether or not the member's comments subsequent to your ruling do indeed comply with your ruling. Is he addressing his comments to the time allocation and the subject matter in front of us?

The Acting Speaker: I explained the Speaker's position. I'm sure the member for St Catharines will tie those back to the motion.

Mr Bradley: The tying back to the motion is quite simple, as all members understand; that is, if we didn't have to debate this time allocation motion, then we could be debating things that would be more important than this time allocation, such as macular degeneration and the other problems. You cannot win this one. This is not one to be won. When your government brings in time allocation motions, I say to the Attorney General, you sacrifice the ability to stifle the opposition. If we were talking about your bill, I would certainly understand that.

You want me to get back to your bill and why you need the financial resources. I'm trying to help you out. As always, I'm trying to help the government out. I am trying to help the minister get more resources for the implementation of this bill. For instance, there is going to have to be a lot of auditing taking place by forensic auditors. You're going to need more police officers. You're going to need more law enforcement capability.

Hon Mr Young: That's not what the police say.

Mr Bradley: Well, I haven't found a police officer yet, or a chief, who doesn't say he needs more resources. Of course they need more resources. I'm trying to help out by finding a place for it. I'm saying, why don't you take the money that you're going to give away in tax cuts to the wealthiest people in this province, to the corporate sector, which is already very competitive, and to those people who want private education, and give it to the Attorney General, partially, so he can implement the provisions of this bill?

I see several members on the government side nodding. I don't know whether they're nodding off or nodding in agreement, but they're nodding at this time.

1720

We're back to these time allocation motions and why they're bad. They are bad because they prevent us from talking about several other issues. The member for Niagara Falls is coming in, and I'm glad he's present. I mentioned his name earlier; his ears must be burning. I mentioned that he had talked about the fact that on the

CCACs they were going to need new blood. I was suggesting he had perhaps misspoken himself and that it was blue blood they would be putting on these agencies. I see that the new treasurer of Access Niagara is in fact a good Tory supporter, a contributor to the Conservative Party and might even be a fundraiser for the Conservative Party.

Interjection.

Mr Bradley: Not a fundraiser, says the member—but at least a contributor. So we can see the manipulations that are taking place in that regard.

How I wish we didn't have to debate this time allocation motion and instead we could talk about community care access centres and their underfunding and the services that are no longer available to frail seniors and to other people who are coming out of hospitals quicker and sicker than was the case in years gone by, because under the new rules of the Harris government people are forced to leave hospital at a much earlier stage than was the case in the past and often are forced to return to hospitals because they have been let out too early.

To wrap up my remarks this afternoon—and I know the New Democrats would agree that I have not unduly strayed from the contents of this particular resolution—I simply want to say that once again we see the government using its iron fist on the opposition in the form of using the new rules they imposed on this House to grease the skids for legislation.

Ms Mushinski: And you didn't?

Mr Bradley: Never did. We didn't have these rules, I say to the member for Scarborough. We did not have the rules that you put in place. These are draconian rules, to say the very least. I intend, as do my colleagues, I'm sure, to vote against this time allocation motion.

Mr Christopherson: Let me say to the Attorney General at the outset that quite frankly I thought the member for St Catharines was far more focused on the motion than he usually is. He was very relevant today, and I'm glad you eventually realized you weren't going to win the game of trying to nail him down. He's been here far too long and understands the rules and process of this place better than most, and frankly he's going to say whatever the heck he has on his mind and wants to say. He proved that again today, and all the power to him, because his points are highly relevant.

On the motion, though, and the bill it relates to, I just want to revisit a couple of points in the short time I have. The first thing is that this government is trying to spin another line that they're the only ones in this place who really care about law and order. My friend from Trinity-Spadina nailed it when he said you've done your polling. All along you've tried to position yourselves to make sure you're to the right of where anybody else might be, because you want that segment of the population that looks at law and order as the number one decisive issue and you flat out want that vote and you're prepared to position yourselves wherever in order to embrace that vote.

What is so galling about that is that I for one, and I think other members of this House and other people across Ontario, am not going to let you off the hook and am not going to forget what you did vis-à-vis the Victims' Bill of Rights. In my opinion, you can't have a debate in this place about a government initiative with regard to law and order without putting right back in front of you what you did with the Victims' Bill of Rights. Every government member here knows exactly what I'm talking about.

A few years ago, the government's Attorney General of the day stood up and talked about the fact that they were introducing a Victims' Bill of Rights and that they were imposing—excuse me—giving rights to individuals, to victims, and no other government cared enough to do it, no other government was compassionate enough for victims of crime to do it. Only you had the compassion to bring forward that kind of legislation and ensure, you went on at great length, that victims, innocent victims, had rights and that they were treated with respect.

What happened? We witnessed two Ontarians who took you at your word and said, "All right. They made an awful lot of noise about the Victims' Bill of Rights, passed a law that said I've got all these rights." They looked in the bill and said, "OK, I've got these rights," and they tried to have those rights enforced.

What did the government do? The government took them to court. Two Ontarians, victims of crime, both women, who tried to take you at your word and have the rights you said they had upheld: you took them to court. You brought in government lawyers—I still find it so hard to believe this happened, but it is an absolutely true story. The government brought in government lawyers, who went into court to argue in front of a judge, Judge Day, that those Ontario citizens did not have the rights you said they had. That's exactly what happened.

And you argued that based on the wording in the legislation, although there was a great preamble and there was a lot said by the minister, the actual law meant that the judge had no choice but to rule that those victims did not have the rights they claimed, based on what you said they had.

What did the judge do? The judge agreed. But the judge pointed out very clearly that in essence you had misled—my words—the people of Ontario, that they did not have the rights you said and that in fact the government lawyers were right. Based on the technicality of the wording in the law, which you knew—that's why you sculpted it that way—it meant that those Ontarians and any other Ontarian who tried to have those rights enforced would have them denied and should have them denied. That's what you did.

If it was some kind of mistake, we still await new legislation to change that so it won't happen again. But as it stands right now in the province of Ontario, Ontarians do not have, as argued by their own lawyers, the rights their Attorney General said they would have. Once again they say one thing and do another. Two different worlds:

the world they talk about and the world the rest of us are expected to live in.

And this is no different. All the speeches, everything we've heard so far about Bill 30 is spin. The fact of the matter is, as has been pointed out by my colleagues, and I'm sure it may be pointed out by our critic and House leader Mr Kormos, the powers you say you have to have in order to honestly deal with organized crime—and, let's be very clear, don't try to paint anybody who's opposed to this as soft on crime. That's why I started with the Victims' Bill of Rights, because as I recall the debate, it was the attempt by government members to say, "You just don't care about victims. That's why you're opposed to it." We were opposed to it because we saw and read the legislation and said, "Hey, what you said is not what's in here," and ultimately that's the way things turned out to be.

We're saying again that everything you're seeking right now could be accomplished by existing federal legislation in the Criminal Code, because of course the Criminal Code is a federal responsibility. But, oh, they can't take credit for that: (1) it's existing legislation; (2) it's federal and not provincial; and (3) it's the evil Liberals. So what do they do? They say, "I'll tell you what, let's just find a new mechanism that will be ours, using provincial law. Even though it achieves the same thing as the feds, it will be ours. We can stand up and do more of our law-and-order speeches, because we like giving those speeches." That's really all it is—speeches.

1730

What did law professor Margaret Beare of Osgoode law school say? She said, "Ontario is the province that tends to use the existing Criminal Code provisions for powers of seizure less than some of the other provinces." It seems to me that if you want to make an argument that the federal legislation doesn't go far enough, and therefore you need to step in with this provincial legislation, the first thing that would have happened is that you would have exhausted all avenues and opportunities under the federal legislation. Wouldn't that make sense? You'd come into this place and say, "Look, we tried through the federal legislation, through the Criminal Code, through the asset seizure legislation, and no matter how much we try, we keep banging our heads against the wall. We're not getting anywhere or we're not getting as far as we should." That would at least make some common sense. That doesn't happen. You did not use the legislation anywhere near as much as you could have and you didn't even use it as much as other provinces which quite frankly aren't making the same claims.

If there's already federal legislation that would do what this government says they want to accomplish, and you don't even have a history of having used that to the maximum, it really does just leave one answer to the question, "Then why are they doing this?" Public relations. It's all spin. But what's dangerous about it is that you change some of the thresholds upon which guilt or innocence is decided in a matter that is currently felt to be important enough to be under the scope of the

Criminal Code, and you want to bring that into other legislation with lower thresholds. If all it was was a public relations exercise, we probably wouldn't be quite as incensed. We'd be politically outraged, but not quite as deeply concerned.

In doing this hocus-pocus, you're going to do some harm, or at least you run the risk that an innocent Ontarian will be found guilty of something that, if it were in the Criminal Code and in the federal jurisdiction, they wouldn't be guilty of. The screen would work. The innocent wouldn't be found guilty. That's what's dangerous about this. Do your political thing, but don't do it at the expense of the rights of innocent Ontarians who may inappropriately be found guilty.

Given their past track record, can anyone really doubt what they're up to here? The only thing that remains to be seen is whether or not the backbenchers truly understand some of the implications of the bill they're prepared to give their precious vote to, to allow it to become law in this place.

Mr Peter Kormos (Niagara Centre): Yet another time allocation motion, and this one, you will note—oh, so interesting—doesn't allow any debate on third reading: not 90 minutes, not an hour. It doesn't allow any debate whatsoever on third reading. Indeed, it doesn't even permit a deferred vote. This is as complete a violation of the spirit of democratic exchange and debate and the right to vote as any time allocation motion this House has ever seen—ever.

I want to comment on the incredible gross incompetence of this government that's been displayed so remarkably over the course of the last couple of weeks, their inability to even prioritize the legislation they want to see passed before their so-called Christmas or winter break. They're in a panic over there. They're in just a flurry, not deciding which bills are going to be prioritized, which bills are going to be presented for second or third reading, which bills are going to be the subject matters of a time allocation motion. They couldn't organize a drunk-up at a brewery. The Conservatives have displayed incredible mismanagement skills this past week and a half, which one can only conclude are deeply rooted in their caucus and in their Premier's office, now vacant, I presume, and that's probably part of the problem, and in the incredible competition between ministers, and ministers supporting ministers, competing for the leadership of the party. But in the course of this panic on the part of this gang of Tories, they have no qualms about shutting down debate here in the Legislature.

Conservatives know we oppose Bill 30. We've made it very clear. At one point the official opposition opposed it as well and they made it very clear, but they changed their minds, and so be it. I refer to the speeches of the member for Hamilton East. He was talking about the same bill, not a previous incarnation of the bill and not the bill that was subject to amendment. He was talking about the very same bill we're debating now. My friend—and I do regard him as a friend both personally and professionally, in terms of our roles here—the

member for St Paul's, I referred to, and I took comfort in his condemnation of this bill.

Interjection: Who?

Mr Kormos: The justice critic, my counterpart in the official opposition. They've changed their minds. Far be it from me to attempt to analyze the caucus meeting that might have promoted the change of heart of those people. Jeez, far be it from me, but that's OK. The fact is that the New Democrats do stand firmly opposed to this bill. We regard it as dangerous legislation.

You've already heard from my colleagues here in the New Democratic Party. You heard Howard Hampton when he spoke at second reading about the fact that the history of this type of legislation indeed in the United States has resulted primarily in an attack on the assets of basically the little hoodlums and gangsters, not on the big guys. Far be it from me to have conclusive evidence on this. It's places like the Cayman Islands that are going to have jurisdiction, where the big bucks are stashed. This bill will allow the police to go after proceeds of organized crime but, more often than not, and if the American experience is any illustration, it's going to be the little hoodlum, the little gangster. Sure, you'll be able to take his or her Cadillac or Lexus or Jaguar, but at the end of the day, the big guys are going to be hiring phalanxes of lawyers and it's not their assets they're going to receive.

Having said that, at the end of the day the Criminal Code legislation clearly exists, enabling the police, indeed authorizing the police, to seize the proceeds of crime, and it requires that a crime be established beyond a reasonable doubt, which is our traditional or historic standard for a determination of whether or not somebody has committed a criminal offence. It's a healthy standard; it's a good standard. It's there for a reason. It's designed so that innocent people don't get convicted. Even at that, as the recent history in this province, in this country, demonstrates to us, it has failed more than a few times.

Here this government wants to lower the bar, so it uses the civil standard of proof, proof on the balance of probabilities, 51%, 49%, to determine that somebody has committed a criminal offence, and as a result of that to seize their assets, to take their home, their bank account, their business, to clean out everything they may have earned and worked hard for all of their life because of the suspicion of having committed a crime. Canadians don't believe in that. But oh, the arrogance of these Herrenvolk across the way, yes, self-established Herrenvolk who with their arrogance and their heavy fist would want to beat up on—and understand that there's a capacity to ensnare innocent people in this huge net they want to send out under the guise of law and order—and who want to silence the opposition, who want to ensure that the opposition don't have the opportunity to fulfill our responsibilities to debate.

The last couple of weeks have been all about that. Night after night, New Democrats and opposition members have been standing up engaging in the debate and government members have been sitting silently, hoping this thing goes away as quickly as it can, because some-

how they know better. The opposition is but a nuisance to them. These people, this government, its backbenchers, haven't even the most fundamental understanding of parliamentary democracy and the incredibly important role and obligation that an opposition has. Well, I tell you that New Democrats are not going to abdicate our responsibility in this instance as opposition members.

This government has no interest, clearly when you look at Bill 30, in standing up for innocent victims; New Democrats will. This government has no interest in preserving the fundamental rights and freedoms and civil liberties of Ontarians; New Democrats will, and we've demonstrated that. We demonstrated that during the course of the debate around Bill 30. We have demonstrated that during the course of the debate around Bill C-36 from the federal government and its very direct attack on the fundamental rights and freedoms of not just every Canadian—because, understand, in Canada we don't acquire those rights and freedoms by being Canadian citizens or being born here; one acquires those fundamental Canadian rights and freedoms by stepping foot and standing on Canadian soil. It's New Democrats who have fought to protect people from the intrusion on those rights, the incredible, egregious intrusion by a federal government that wants to wrap itself in the flag of anti-terrorism to justify legislation far more dangerous than a former Prime Minister's War Measures Act ever could be.

We will not be silenced by this government's arrogance. We will not be silenced by this government's time allocation motions. We won't be silenced by this government's mismanagement of the legislative agenda. We won't be silenced by this government's haste to just get the heck out of here and avoid question periods—not for a month but, I tell you, this government won't be back until June. This government, when it shuts down, is going to send itself on a six-month vacation. Well I say to this government, do you want your legislative agenda to be debated and pursued? Come back January 14, not June 14. Come back January 14; New Democrats will be here to debate your legislation, to debate your bills, to debate your motions, and we'll resist them as we have until now.

The Acting Speaker: Further debate?

Mr Young has moved: That, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities, when Bill 30 is next called as a government order, the Speaker shall put every question necessary to dispose of the third reading stage of the bill without further debate or amendment; and

That, notwithstanding standing order 28(h), no deferral of the third reading vote may be permitted; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

Shall the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 10-minute bell.

The division bells rang from 1744 to 1754.

The Acting Speaker: Order. Mr Young has moved government notice of motion number 110.

All those in favour will please stand one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Tascona, Joseph N.
DeFaria, Carl	Mariand, Margaret	Tilson, David
Dunlop, Garfield	Martiniuk, Gerry	Tsubouchi, David H.
Ecker, Janet	Maves, Bart	Turnbull, David
Elliott, Brenda	Mazzilli, Frank	Wettlaufer, Wayne
Flaherty, Jim	Miller, Norm	Wilson, Jim
Galt, Doug	Molinari, Tina R.	Witmer, Elizabeth
Gilchrist, Steve	Munro, Julia	Wood, Bob
Gill, Raminder	Mushinski, Marilyn	Young, David
Hardeman, Ernie	Newman, Dan	

The Acting Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Bartolucci, Rick	Crozier, Bruce	McMeekin, Ted
Bisson, Gilles	Di Cocco, Caroline	Parsons, Ernie
Bountrogianni, Marie	Dombrowsky, Leona	Patten, Richard
Boyer, Claudette	Duncan, Dwight	Peters, Steve
Bradley, James J.	Gravelle, Michael	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Caplan, David	Lalonde, Jean-Marc	Pupatello, Sandra
Christopherson, David	Levac, David	Ramsay, David
Churley, Marilyn	Marchese, Rosario	Ruprecht, Tony
Cleary, John C.	Martel, Shelley	Sergio, Mario
Colle, Mike	Martin, Tony	Smitherman, George
Conway, Sean G.	McGuinity, Dalton	
Cordiano, Joseph	McLeod, Lyn	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 50; the nays are 37.

The Acting Speaker: I declare the motion carried.

It being 6 of the clock, this House stands adjourned until 6:45 of the clock.

The House adjourned at 1758.

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Official Report of Debates (Hansard)

Journal des débats (Hansard)

Tuesday 11 December 2001

Mardi 11 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 décembre 2001

The House met at 1845.

ORDERS OF THE DAY

The Acting Speaker (Mr Michael A. Brown): Orders of the day. The Minister of Agriculture, Food and Rural Affairs.

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Order G110.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Quorum, please.

The Acting Speaker: Is there a quorum?

Clerk at the Table (Ms Lisa Freedman): Quorum is present, Speaker.

QUALITY IN THE CLASSROOM ACT, 2001

LOI DE 2001 SUR LA QUALITÉ DANS LES SALLES DE CLASSE

Mr Dunlop, on behalf of Mrs Ecker, moved third reading of the following bill:

Bill 110, An Act to promote quality in the classroom /
Projet de loi 110, Loi visant à promouvoir la qualité dans
les salles de classe.

Mr Garfield Dunlop (Simcoe North): Tonight I'll be sharing my time with the members from Oak Ridges and Kitchener Centre.

Since 1995, we have remained committed to giving our students the best possible education. We've put the focus of education in this province where it should be: on higher student achievement. This vision is based on providing Ontario school children with the benefits of receiving the best possible teaching in the classroom.

Teacher excellence is at the root of every success story in student achievements, and Bill 110 is focused on supporting teachers across our province. Ontario is fortunate to have many excellent teachers who are committed to the profession and have fostered a love of learning among the students. It is important that we support those teachers in their efforts to continually upgrade their skills and their professional learning.

The Ontario teacher testing program allows us to do just that. The program includes a number of components. We have already established professional learning requirements that have teachers taking courses from seven core categories and seven elective courses over five-year cycles. We introduced a language proficiency test for

teachers coming to Ontario who received their training in a language other than English or French.

We are currently working to develop a teacher recognition program and we will also develop an internship program for new teachers.

Interjections.

Mr Dunlop: It's nice to hear the member from the Emmy awards over here again tonight.

The Quality in the Classroom Act, 2001, will put in place two other key components of the teacher testing program. Bill 110 calls for a province-wide teacher performance appraisal system and a qualifying test for new teachers or those moving to Ontario.

Many professions already have a variety of entry requirements, standards for professional development, ongoing assessment and accountability practices. For example, regulatory bodies for dental hygienists, nurses, occupational therapists and lawyers all require candidates to pass exams that test basic knowledge and skills to become fully licensed or registered to practise in Ontario.

One of the key components of Bill 110 is the creation of a performance appraisal system to evaluate teachers on their performance in the classroom. The new provincial standards outlined in this legislation would ensure that principals and school boards regularly and consistently evaluate teachers' knowledge and skills and how they apply them in the classroom. These appraisals will be conducted in the same fashion across the province.

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In the time I have today, I would like to focus on the details of the performance appraisal system proposed in Bill 110. Bill 110 builds on the provisions of Bill 80, adopted earlier this year, back in June, to implement the professional learning requirements for teachers in Ontario. The new legislation would establish the regulatory authority necessary for the establishment of teachers' learning plans. These plans would be developed by teachers in consultation with the principals and would map out an action plan for professional growth.

Our partners welcome this emphasis on a teacher's professional development. At the recent hearings of the standing committee on general government, the Ontario Teachers' Federation welcomed the opportunity afforded by Bill 110 for teachers to focus on their professional growth with the help of principals and school boards.

There is an essential and necessary link between professional learning and evaluating performance. Mandatory professional learning ensures that a teacher's knowledge and skills are up-to-date. Performance ap-

praisal provides the necessary quality assurance that teachers are the best they can be and that they apply their skills successfully in the classroom.

Equally important is the way Bill 110 brings consistency to teacher appraisals in reference to their frequency, timing, standards and methods. This is a critical need that was drawn to our attention by a number of education partners, especially the Council of Ontario Directors of Education. As we were developing this legislation, we asked CODE to conduct a survey of teacher appraisal practices across the province. What the CODE survey found confirmed the need for taking a province-wide consistent approach to evaluating teachers' classroom performance.

While boards have been developing tighter practices in this area, Bill 110 will put policies and programs in place to help weak teachers meet the standards they need to achieve.

Few boards currently have the evaluation policies that identify exemplary teachers. As I mentioned earlier, we are working on a program to recognize excellent teachers and an induction program for new teachers.

These findings reconfirm the value of Bill 110 and the need to provide consistent province-wide standards for teacher evaluation.

We have continued to listen to our partners. The Organization for Quality Education stated its support for Bill 110 at the hearings of the standing committee on general government. The organization is made up of parents, teachers, principals and other stakeholders. The Organization for Quality Education submitted the position that a standardized performance appraisal would bring worthwhile improvement to our school system. At the same hearings, the Ontario Teachers' Federation also gave its support for Bill 110, saying that the plan to introduce a consistent performance appraisal process for teachers is a positive step.

Our teacher appraisal system is designed to be fair to all members of the profession, no matter where they teach in our province. Under the new legislation, every experienced teacher would be evaluated every three years. There would have to be at least two evaluations of a teacher's performance during that year. All new teachers in Ontario, whether recent graduates or those moving to a new school board, would receive two evaluations during each of the first two years in the classroom.

The Ontario Teachers' Federation gave its support for the way Bill 110 calls for separate evaluation cycles for experienced teachers and new teachers. The OTF believes that performance appraisal systems must recognize the different stages in a teacher's career.

Bill 110 would also allow a principal who has concerns about a teacher's performance to conduct more frequent appraisals in order to provide the necessary support. Principals or vice-principals would conduct the performance appraisals of the teachers.

It is important to note that principals and vice-principals will receive training on the performance appraisal system in order to ensure fairness to teachers. Bill

110 provides for provincial regulations to set standards and methods for performance appraisals. These could spell out the competencies to be evaluated, the rating scale to be used and the standards, methods and timelines to be taken into account in conducting performance appraisals. The Minister of Education would be able to issue guidelines relating to the knowledge and practices that evaluators should look for in conducting these performance appraisals.

The education community doesn't operate in a vacuum. There is a need for greater accountability to parents and other stakeholders. Our government strongly believes in the involvement of all parents in their children's education. That's the reason we created school councils, to ensure that parents have a stronger voice in their children's schools. We are now conducting the first annual parent survey to make sure Ontario's parents give us their views on the future of public education in our province. Bill 110 would, therefore, also provide the regulatory authority for parent and pupil input to be taken into account when teachers are being appraised. Providing a role for parents in this process emphasizes the importance of effective communications between parents, students and teachers.

The Ontario Parent Council welcomes this opportunity for parental input. However, parental and pupil feedback could not be used by itself to dismiss a teacher or result in an unsatisfactory rating. Teacher appraisal is designed to ensure that teachers have the knowledge and skills they need to ensure student achievement and excellence.

The appraisal system has another important purpose and that is to support and facilitate teacher improvement. That's the reason Bill 110 places significant emphasis on what happens when teachers receive an unsatisfactory rating. Bill 110 provides a fair approach to help teachers receiving an unsatisfactory rating to improve.

Let me illustrate how the proposed system would work. An unsatisfactory rating would require the teacher to receive written notice detailing what is lacking in performance and what changes are expected. The principal would also be required to provide the teacher with an improvement plan specifically outlining the steps to be taken in order to improve. Within 60 days of the first unsatisfactory rating, the principal would conduct a second appraisal to see if improvements have been made. If the rating remains unsatisfactory, the same process that applied after the first rating would be followed. In addition, a second unsatisfactory rating would result in the teacher being placed on review. During the on-review period, intensive remediation and support would be available to a teacher based on a plan jointly developed by the teacher, the principal and the superintendent. On-review status would also require the principal to monitor the teacher's performance, consult on necessary improvement steps and provide feedback to the teacher.

A third appraisal would be required within 120 school days of the teacher having been placed on review. A recommendation for dismissal would be required to be submitted by the principal to the school board if the

teacher's performance is still found unsatisfactory after the third appraisal. A dismissal recommendation could also be made if it has been determined that the best interests of the students require removal of the teacher from the classroom. Pending the board's decision on whether to terminate a teacher's employment, the teacher would be removed from the classroom and either suspended with pay or assigned to other duties. It is important to note that boards would continue to be required to ensure that the due process is followed when dismissing a teacher.

I believe members will agree with me that the performance appraisal system I've described is consistent and fair to teachers. It is also essential that the interests of the students be protected as well. For that reason, the legislation we are considering contains a number of protections when teachers are dismissed for unsatisfactory performance. Any board that dismisses a teacher for unsatisfactory performance must advise the Ontario College of Teachers, which would then investigate the matter. If school boards wish to hire a teacher who has taught elsewhere in the province, they would be required to check with the teacher's previous school board on the teacher's performance.

Bill 110 would reduce the possibility of low-performing teachers escaping accountability by moving from board to board across the province. This measure received the support of the Organization for Quality Education at the committee hearings on Bill 110. The OQE suggested that transferring incompetent teachers from school to school or allowing them to move from board to board would become less likely as a result of Bill 110.

At this point, it is essential to note that the vast majority of teachers in Ontario are very competent and dedicated professionals and share our goal of removing unmotivated and incompetent teachers from the classroom.

The second key component of Bill 110 would establish a qualifying test for new teachers. This would be similar to entry exams for other professions, such as law. We want to be sure that all new teachers know the curriculum, the teaching methods and the standards that are expected of them to motivate and help students to achieve.

In closing my remarks, I'd like to summarize some key features of the performance appraisal system that would be established by this legislation. Bill 110 will help bring the promise of teacher excellence to every corner of Ontario. The new performance appraisal standards will focus on key areas of teacher performance: commitment to students and their parents; how he or she communicates with them; professional knowledge and teaching practice; participation in the life of the school and the school community; and participation in ongoing professional learning.

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The ministry will continue to work and consult with its education partners on how best to implement the new performance appraisal system. The new performance appraisal standards will be phased in, starting in a num-

ber of school boards to be used next year. School boards will have to provide support and remediation for teachers whose performance appraisal is unsatisfactory. After due process, school boards could dismiss teachers whose performance appraisals continue to be unsatisfactory after being given help and support to improve and failing to do so.

The Ontario College of Teachers would review the certification of teachers dismissed following a performance appraisal process. School boards hiring experienced teachers would have to obtain a copy of the last two performance appraisals conducted by the school board where the teacher was formerly employed if one was rated unsatisfactory.

It is worth repeating that Ontario teachers are dedicated professionals committed to the achievement of their pupils. Bill 110 supports this commitment by bringing clear, consistent and fair province-wide standards for performance appraisals in the establishment of a qualifying test.

I encourage all members to support this important legislation and appreciate the opportunity to speak to you tonight.

The Acting Speaker (Mr Michael A. Brown): Further debate?

Mr James J. Bradley (St Catharines): The bill is before the House not because of the fact that there isn't an appraisal system that exists now; it's because the government did some polling, probably at the expense of the taxpayers of Ontario—because they spend in fact millions of dollars both on polling and government advertising, all at the expense of the taxpayers of Ontario—and what they would have discovered was that the concept sounds good at first blush. In other words, if you went down a street and knocked on a door and simply asked one question, "Do you believe that teachers should be assessed or tested?" it's likely that your immediate response is going to be yes. This government works on that basis. So instead of endeavouring to improve upon a system which is already in existence in most schools in Ontario, the government decided that it would make this a high-profile issue and a wedge issue between those who are members of the teaching profession and what it perceives to be the majority of public opinion.

The total effect of the legislation, and particularly the manner in which it has been introduced in education, has been to reduce the morale in teaching ranks in Ontario to the lowest that I can recall and likely in the history of the province.

When you're making changes, the best way to make change is to enlist the support of those who are being subjected to the change. Many governments recognized a number of years ago—and here I compliment the Davis administration. Although I found myself from time to time in disagreement with some of the Davis policies, may I say—and we have one member here who was part of the Davis government, the Honourable Robert Runciman, now Minister of Economic Development and Trade.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children,

minister responsible for francophone affairs): He was a good Davis man, was he? Was he a good Davis man?

Mr Bradley: He was certainly a moderate in the Conservative government of Bill Davis.

What the government did that I thought was effective was it introduced change on an incremental basis. Most people are prepared to accept and indeed work along with those who want to implement change if it is done in an incremental fashion and not in a confrontational fashion. This is not to say that in those days there were never clashes of opinion between the government and people in the education business or the education profession, because from time to time a clash would take place. The Honourable Dr Bette Stephenson, who was minister for some period of time, was not afraid to voice her opinions and was often vociferous both in the House and in public meetings. But I think there was a respect for the fact that the minister or the cabinet as a whole had in mind the best interests of the students in education and of the education system. I can't recall on any occasion that the Robarts administration, although I wasn't here when Premier Robarts was Premier, or the Davis administration set as public enemy number one members of the teaching profession. The reason that the morale is so low today is for that very reason, that the present administration, recognizing that it could score some significant political points by bashing teachers, decided that that's exactly what it would do.

There have been some alternatives which have been presented by members of the teaching profession to allow for upgrading of teachers, continuing education for teachers and continuing evaluation. The government would have been wise to consult with those individuals and modify its own proposals to accommodate the suggestions that had been made. But that wasn't to be in the books. That would not produce the confrontation necessary, that would not delineate the sides and the issue, and therefore the government decided to proceed with Bill 110, what it refers to as the Quality in the Classroom Act.

I look at a picture in education. At one time, the people who were in the education profession showed up for work with a smile on their faces and with a good deal of enthusiasm facing the particular day on which they would be teaching. When they came back from any period of time where there was not teaching taking place, a holiday period of time, it was again with great enthusiasm, with great interest in what they were going to be doing, that is, working with the students. Essentially that was the period of time before they became the targets of this government.

It was interesting during the Bill 160 confrontation. I think the government discovered on that occasion that while they picked on teachers, they centred out teachers as enemy number one, many of those individuals who were in the teaching profession had brothers or sisters, mothers and fathers, spouses, close friends who knew the profession, who knew the kind of work the teachers were doing, who were aware of the dedication of these individuals and were sympathetic to them in their battle with the government over Bill 160.

Bill 160 essentially was a bill which was all about reducing the number of teachers in secondary schools. That's essentially what it came down to. I remember being in the hallway with the Honourable David Johnson, who was then Minister of Education, and they asked him a question, "How many fewer teachers do you think there will likely be in secondary schools as a result of this bill?" He suggested about 7,500. The teaching profession was saying 10,000. The hotline hosts who like to join in the bashing of teachers, because that's very popular, to join in on that bashing, said, "Look, they're hiring all these new teachers." The reason of course was that we had a huge bulge of retirements. I've said in this House before, and I think it's worthy of repetition this evening, that one indicator of the morale of the teaching profession is that teachers are retiring the day they can.

I can recall a number of years ago that many teachers taught to the age of 65. Some may have taught to a period of time before the age of 65, and you had a period of time where people would say, "Look, I'm going to wait a couple of extra years after I'm eligible and I'm going to be part of the teaching profession because I enjoy my job, I enjoy working with the students, I enjoy the atmosphere in the classroom and in the staff room." That changed substantially, so that you had a situation where people were then retiring at the end of the year they were eligible. Then it would be the end of a term or the end of a semester, then the end of a month, then the end of a week, and today there are people dedicated to teaching—I know some people whose whole lives were teaching who the day they are eligible today will walk out of that classroom and into retirement. That's most unfortunate because you lose some good, dedicated, knowledgeable people. You lose some mentors. You lose some experience.

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We're happy to see new people enter the teaching profession, fresh faces, as they say, people who will take new chances in education. A good staff, whether it's for a whole board of education or an individual school, consists of both the experienced teachers and those who are coming into the profession, and a number of people in between. That's the best blend you can have.

But we don't see that today. We see almost a state of depression in many people in the education system. I was talking to a teacher the other day. The newest rumour they hear is that the government is going to freeze everybody's wages again. They went through a period of time, first of all, of the social contract, and then of restraint being practised by the government in the greater public sector, which meant there were virtually no pay raises for a number of years. While it wasn't enjoyed, it was endured, with the hope there would be a future where there would be some additional remuneration and benefits that might be available instead of the constant takeaways and freezes and perhaps in some cases even retractions.

So when they see a bill of this kind, what they interpret it as—and I think with some degree of accuracy—is yet another attack on members of the teaching profession,

as though you've got a bunch of people out there who are unqualified, who are not dedicated to the job, who have to be supervised 24 hours a day.

It's interesting to note, for those who are proponents of private school funding, that it's my understanding the cabinet tomorrow will be meeting to discuss the regulations surrounding that. I know, Mr Speaker, that you would have enjoyed the comments of the former Treasurer of this province, the Honourable Ernie Eves, who expressed great concern about the potential regulations that would be brought into effect, and who felt the funding should be available only where the curriculum of the province is taught and where there is appropriate provincial supervision.

You would know, Mr Speaker, as all members of this assembly would know, that this act does not apply to people in private schools, yet this government is taking money from the public stream—some say up to \$500 million; I think that's what the minister suggested when they were fighting against the United Nations case; potentially \$500 million—and giving it to private school vouchers. This legislation, this bill, does not apply to those schools.

Mr Rosario Marchese (Trinity-Spadina): How come?

Mr Bradley: Well, those teachers are not members of the College of Teachers; therefore, they do not have what we would consider to be the appropriate qualifications in Ontario. So they are exempt.

The member who interjected in horror would remember that there was another piece of legislation we passed in this Legislature not long ago that dealt with sexual misconduct, and that did not apply to the private school system either, even though there is now public money that is going to go into the private schools through what amounts to a voucher system.

My knowledge of the system is that principals, vice-principals, department heads, other teachers, superintendents, even directors in some cases, are there in a supervisory capacity to ensure members of the teaching profession are doing their job appropriately. Particularly within the school setting, the principals do that kind of supervisory work, though heaven knows today they're overburdened with all the paperwork this government is throwing at them.

Just as they saw some of the other suggestions we have had come forward as being anti-teacher, we see some of those in this.

Though we like input, we like consultation, I'm concerned that part of the evaluation process is going to come from students and parents themselves on individual teachers. The reason I say that is that the gang on the other side generally talks about discipline. What they usually mean, the people who extol the virtues of discipline—and I'm one of them, so I'll exempt myself from this—is discipline for everybody else's kids, not for their own. When their own are in trouble, it must be the system or the teacher or the principal or somebody else, but it can't be their own kid.

So we're going to have a situation where people with an axe to grind, be they students or parents, will be involved deeply in the evaluation of teachers. If you don't think that is a cold hand over the heart of teachers of this province, then you're not calculating what the effect is going to be in an accurate way. That's exactly what it is: more butting into a system that has worked relatively well with supervision coming from superintendents, principals and vice-principals. We're now going to have people with an axe to grind having the right to hassle the teachers and having a right to be involved in the evaluation. I ask members of this government to consider what you're doing when you do that.

I was talking to a group of teachers the other day who said, "Just watch what happens with discipline now," because if you're going to be in a popularity contest as opposed to trying to enforce the rules and regulations of a school, there's going to be a different circumstance confronting teachers and the discipline they must administer as part of their roles and responsibilities.

I have yet to encounter any member of the teaching profession who doesn't believe that they should be qualified, that they shouldn't be, on an ongoing basis, upgrading themselves and renewing themselves. They do it voluntarily. I think they see this as an overseeing, an imposition, an additional cost to the teachers themselves and perhaps to the education system. I think it's accepted by many people that when people are coming into the profession, they should have to meet certain qualifications. That's part of this bill. I know there are some people who disagree with that, but it's probably reasonable to believe that when they're coming into the profession, they should meet certain standards. I think you'll find a fairly good consensus on that. The performance appraisal part of the bill basically standardizes what has been happening in the system now, except the government can put another check mark beside something it said it promised and was going to deliver, unlike of course hospitals that they closed in the province.

The bill makes no mention of where overworked, overstressed principals will find the time to carry out their new responsibilities and what resources will be available to them. According to the Ontario Principals' Council, Ontario will lose 50% of its principals over the next five years, and teachers are not interested in becoming principals because of the huge volume and frantic pace of change in the system. This is obviously why the Honourable Chris Stockwell, Minister of Labour, has said, "Look, let's not have any more changes in education for two years." Mind you, he's been part of the cabinet that has helped to impose those constant changes and he voted for all of them, but at least he has seen the light. Just as he now says, "No more tax cuts," he now has seen the light on this. It's a little late, it's a conversion on the road to Damascus, but we're prepared to accept converts from time to time.

The bill makes no mention of what resources will be made available to help struggling teachers. There is some

concern that the four ranking categories may pave the way for merit pay for teachers, and often that turns into who can polish the apple the shiniest, as opposed to who actually performs best within a system. This bill does not pertain to teachers in the private school system, as I have mentioned. Again, that's an example of public funding with no accountability. The bill is further evidence of the Tory anti-teacher agenda.

I would find it hard to accept this bill. I believe that teachers have brought forward an alternative model that is truly supportable, and I believe the government would have been wise to have adopted or incorporated that model, as opposed to getting into yet another confrontation.

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The Acting Speaker (Mr Bruce Crozier): The member from Timmins-James Bay.

Mr Gilles Bisson (Timmins-James Bay): I just wanted to get up on a point of order.

The Acting Speaker: Thank you. Further debate?

Mr Bisson: Don't you love it when a strategy kicks you right back? Anyway, that was in order to send a little signal to my friend, because I know other people wanted to speak.

I don't want to take a lot of time because I know that our good friend and colleague Mr Rosario Marchese, the critic for education, has a number of things he wants to say about this particular legislation. I don't want to take a lot of time, but I wanted to put a couple of things on the record very quickly.

Premièrement, ce qui est clair dans ce projet de loi, c'est que le gouvernement a décidé encore une fois de s'organiser à taper sur la tête des professeurs. Si on regarde ce que le gouvernement a fait dès le début de son mandat en 1995, ils ont été bien clairs. M. Snobelen a dit qu'il voulait créer une crise en éducation. Il voulait créer une crise pour être capable de faire des changements dans le système d'éducation qui étaient importants pour lui et son idéologie et celle de son parti.

On voit le gouvernement ces dernières années—ça fait six ans qu'ils sont là—à chaque occasion qu'ils ont eu l'opportunité, taper sur la tête des professeurs. On voit aujourd'hui, avec ce projet de loi, qu'ils continuent dans la même idée.

L'affaire qui m'achale grandement avec cette approche, c'est qu'à la place de trouver une manière de valoriser l'ouvrage que font nos professeurs dans nos écoles au secondaire et au primaire, à la place de travailler avec eux, de valoriser leurs efforts dans la classe, on a un gouvernement qui dit à chaque occasion, « Bam. On va les taper sur la tête une autre fois. »

Moi, je dis, « Écoute. Ce n'est pas la manière de gérer nos écoles. Ce n'est pas la manière de gérer notre système scolaire. »

Mr Bradley: Easy for you to say.

M. Bisson: Oh. Sorry, Jim. I wasn't expecting that.

Ce n'est pas la manière qu'on doit organiser le système d'éducation.

Dernièrement, j'ai eu l'occasion—c'est pour cette raison que je voulais présenter dans ce débat—de rencontrer des profs de l'AEFO, du secondaire, qui sont venus me voir. J'ai eu des profs de mon comté qui sont venus de Hearst, de Kapuskasing. J'ai rencontré des profs à Smooth Rock Falls et à Timmins de l'AEFO, de l'OSSTF et d'autres associations de professeurs et syndicats de professeurs à travers le comté. Ils ont été clairs sur cette question. Ils ont dit, « Nous sommes des professionnels. On a déjà en place un collège d'enseignants pour s'assurer de la qualité d'éducation et, plus important, de la qualité de l'ouvrage que nous faisons dans la salle de classe. C'est pour cette raison qu'on est devenu un métier qui est réglementé par lui-même. » À la place d'avoir, comme on l'avait dans le passé, les profs qui ont fait seulement leur licence selon les ordres du ministère, ils sont devenus ce qu'on appelle en anglais « a self-regulating profession. »

Ils ont dit, « C'est pour ça que ce collège-là est en place. Il est important de réaliser qu'on a le collège-là, comme profs, pour nous assurer de la qualité de l'ouvrage qu'on fait dans la salle de classe, pour nous assurer qu'on fait l'ouvrage nécessaire comme profs pour être capable d'augmenter nos connaissances dans la classe et que, à la fin de la journée, les jeunes pour lesquels nous sommes responsables ont, franchement, les meilleurs profs possibles dans la classe. »

Les profs m'ont dit très clairement que, quand on voit ce projet de loi, c'est clair que le gouvernement n'a pas de respect pour le collège des enseignants et que, plus important, le gouvernement n'a pas de respect pour les profs, et que c'est complètement un manque de respect pour les élèves dans la salle de classe elle-même. Ils ont dit de la part de ces profs de ma région qu'il était important que je viens ici à l'Assemblée non seulement pour parler contre ce projet de loi mais pour voter contre, sachant à la fin de la journée que le gouvernement aura une majorité.

Je veux aussi dire qu'il y a une certaine madame à St Thomas qui regarde présentement cette émission, et on va essayer, à travers les traducteurs qui sont ici aujourd'hui, de rassurer une certaine M^{me} Elizabeth Klees, qui on sait être très fière de son garçon qui est ici ce soir : il va parler, Madame Klees. On veut que vous sachiez, madame Klees, que votre garçon va parler sur ce projet de loi. Mais, madame Klees, vous avez besoin de parler à ce pauvre petit garçon à vous parce qu'il veut taper sur la tête des profs. Puis moi, je sais que vous, madame Klees, valorisez l'éducation et les profs. Franchement, je sais que vous vous intéressez au dossier et, quand arrive le temps des fêtes et on s'assied à la table pour le souper de Noël, que vous allez parler à votre fils, M. Klees, pour dire, "Frank, pourquoi ? Pourquoi as-tu fait ça ?"

So to Mrs Klees, as I said, I know that your son is going to be speaking soon. On behalf of our NDP caucus, we want to wish your family a very merry Christmas. We know it's been a difficult year for you. I know Mr Klees lost his father this year, as I did mine.

Sometimes there's a bit of bantering that goes on around here, but I want to take the opportunity to wish you and your mother a merry Christmas and to say to you, Mrs Klees, in case you didn't get it in translation, that this guy wants to cut back on education and hit those teachers on the head. We know, Mrs Klees, that you love teachers, that you love education and that you're going to talk to your son at Christmastime and make sure that he comes back here in January and does things that are positive for education.

Mr Frank Klees (Oak Ridges): I thank the member for Timmins-James Bay for referring to my mother, who is probably one of the most loyal watchers of the parliamentary channel. I'm sure you've made her evening.

My mother would tell you that I am a great respecter of teachers, and we will have that discussion, no doubt, over Christmas dinner about what I'm doing to enhance and support and make sure that teachers have the kinds of supports they need in this province to do their job better.

When we were elected as a government in 1995, we were determined to deal with a number of issues in the education field that we felt were of the utmost importance to improve the standard and the quality of education in this province. We were concerned that the system in the province was not keeping up with the world in terms of the standards and challenges we're facing every day. Over that period of time we've stressed the importance of student achievement in a number of areas. We've worked to improve stability and security in our education system as well as increase its accountability to parents.

On many occasions over the last number of years we perhaps have lost the parental perspective in education that's so important. All too often we in this province, probably in this country, have decided we would hand over education to the teachers and wash our hands of it as parents, and that is simply wrong. There are many areas that can only be supported and can only be met with parental involvement. So, through some of the reforms we have introduced over the last number of years, we have attempted to draw parental involvement into the education system.

Excellence in the classroom has been another important theme of our education reforms. Our goal has been to ensure that children get the very best teaching that is available. Bill 110, the Quality in the Classroom Act, is our latest effort in supporting teaching excellence. We've heard tonight from members opposite that somehow this is an affront, this is an attack, on the teaching profession. Let it not be said at all that that is the intention here. I would look to members opposite, as they get concerns expressed to them—as the member for Timmins-James Bay did by a delegation of teachers who expressed that in their view, this bill was an affront to them—to take the opportunity to explain to teachers that that is not the case, and point out how this bill supports the very same objectives that they as teachers have: to be the best they can possibly be.

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This act establishes a new teacher performance appraisal system and introduces a qualifying test for teach-

ers in Ontario. I heard the member for St Catharines say earlier that he does not disagree with the standardization of some of these levels of qualification. I heard him say that much of this is being done already, and I agree that it is. What we're trying to do here through this bill is to standardize a lot of these things, so that it would be consistent across the province. I've heard from many teachers, and I believe it's so, that probably 85% to 90% of the teachers in this province already do much of what is contained in this bill, do what they can to improve themselves, to continue to advance their education.

But what we're concerned about, and I believe as a Legislature we have a responsibility, is to ensure that the remaining 10% or 15% of teachers who don't take that initiative of their own volition are not only encouraged but required to follow that path of excellence. That's what this is all about: ensuring that 100% of all our students in Ontario have the very best teaching available to them. We believe this bill will go a great distance in ensuring that in fact takes place.

Everyone knows the difference a good teacher makes. I have said in this place on a number of occasions in different debates that it doesn't matter what great structural changes we make to education, that it doesn't matter what we do to the curriculum, that it doesn't matter what we do to standardize the testing, that it doesn't matter what we do even in this bill to standardize the requirements for teacher excellence; if we don't have a willing front line of teachers who are willing to enthusiastically embrace what the government is attempting to do to set the goalposts for excellence in education, then all of this will be for naught because we do require—we need—a willing front-line teaching profession to deliver quality education to the students in Ontario.

We are going to welcome, we invite, we implore every teacher in this province to take a look at this legislation in a very positive light, to accept the best of what it has to offer, and to incorporate it into their daily lives and into the profession.

Interjections.

Mr Klees: Through Bill 110, the Quality in the Classroom Act, 2001, the government is now moving forward with essential steps to ensure that Ontario's students are always taught by the best teachers in the country.

I want to take the opportunity while it comes to mind, because the member from St Catharines, through his interjection, reminded me of something he said in his debate. He referred to the former Minister of Finance, Ernie Eves, and he suggested, and I think Hansard will show that the member from St Catharines indicated, that he would support the tax credit for independent schools if those schools taught the Ontario curriculum. That simply is not the case and I'd like to correct the record for him, because I know he didn't mean to mislead the House or anyone watching. What he said very clearly was that he would expect there would be a core curriculum that those independent schools teach, and I agree with that. There should be a core curriculum that any independent school that is teaching in this province teaches.

Beyond that core curriculum, of course, those independent schools are free to teach the emphasis that they have in their particular school system. If we didn't allow that, what would be the purpose for an independent school? I'm sure the member from St Catharines would agree with that as well.

I would like to very briefly address some of the details of the new requirements for a qualifying test. If Bill 110 becomes law—and I trust that members opposite will assist us in ensuring that it does—all new graduates of Ontario faculties of education and all teachers new to Ontario would be required to take the Ontario teacher qualifying test. Passage of that test would be a requirement of becoming a member of the Ontario College of Teachers and receiving a certificate of qualification from the college.

I would think that every member of the Legislature would support that principle. In fact, I heard the member from St Catharines say that in his opinion that certainly is an appropriate measure for this legislation to take. The qualifying test that would be established by the Quality in the Classroom Act, 2001, is effectively an entrance-to-the-profession test. The test would assess the readiness of teachers to start their professional life, to ensure they have a minimum level of knowledge and, in addition to that, the skills to teach. It's one thing to have the knowledge; it's another thing to have the skills to actually deliver that in the classroom. Its purpose and form would be similar to an entrance test that other professions have in this province. Professional groups such as nurses, dental hygienists, occupational therapists and lawyers all have similar requirements.

Mr Bradley: What about MPPs?

Mr Klees: The member for St Catharines asks, "What about MPPs?" I think there is a significant entrance requirement to being in this place. It's referred to as an election campaign. People across our constituencies have the opportunity to assess very carefully the qualifications and the ability of an individual. They have a choice to either hire that person and send them to the Legislature or not. Unfortunately, parents don't have that choice. They have to accept the teacher who is in the classroom. Through this legislation, the government is effectively saying, "We're going to set some standards."

Interjection.

Mr Klees: That's right. The member for Essex refers to the fact that the voters in Essex South also have certain tests. He passed the test in Essex, to his credit. There was a time when I didn't. In 1975 and 1977, the people in Essex South said, "No. We're going to choose to send someone else to Queen's Park." In retrospect, they were right. It was appropriate, because at that point in time, as my mother would tell you, I was 23 years old for the first election and 25 in the second election. At that time I felt I could come here and do a good job for the people in Essex South. The reality is that I needed more life experience, and the electorate told me that. They sent me back into the private sector, and to this day I thank them for it. One of these days the electorate may do that again. They

may say, "Thanks, Frank. It has been a good ride. We appreciate everything you've done"—I hope they say that—"and it's time to move on." The electorate has that choice with us. We have a responsibility in this Legislature to ensure that our children in this province have the best in the classrooms teaching them with excellence. We believe this bill will in fact do that.

I want to take this opportunity to commend the Minister of Education for having brought forward this legislation, because she has done so with the best interests of students in mind and the best interests of teachers in mind. What we need to do in this place is support our teachers. Where in the past the implication has been left that somehow this government has it in for teachers—as members opposite often would put it—that is absolutely wrong. Members opposite do no credit to themselves, the education system or the teaching profession by perpetuating that. I look forward to all members of this House supporting this bill. I believe it is in the best interests of education in the province. It clearly is in the best interests of our students. It clearly will be in the best interests of the teaching profession as we go forward to improve the education system.

In closing, Speaker, I want to pay you a compliment. I want to congratulate you on a fine family. I received your Christmas card today. I wish you and your family the very merriest Christmas. God bless you.

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The Acting Speaker (Mr Michael A. Brown): Further debate.

Mr Marchese: Thank you very much, Speaker.

Hon Mr Baird: Hey, Rosie.

Interjection: You've got a fan club over there.

Mr Marchese: The Minister of Social Services is my friend. He likes what I have to say and he's listening attentively.

I want to respond to a great extent to the member from Oak Ridges and also the member from Simcoe North, who made some interesting comments as well. The member from Oak Ridges says, "To think that this government has it in for teachers is definitely wrong." I don't know where he has been, and I don't want to speak necessarily for teachers, but everything I hear from teachers and the education system says that they have been whacked, and whacked badly, since 1996, and they haven't stopped. I don't know how it is that the member from Oak Ridges could come here and in that nice, calm way say, "People must be wrong, and please, members of the opposition, help us. We are a very misunderstood government. We were not beating up on teachers. I don't know where they get this notion. Help us." It's a nice, saponaceous kind of style, but it doesn't wash with the public. It certainly doesn't wash with teachers. It doesn't wash with the system.

Since you came into power, what have you done? You have beaten up on everybody. You started with Minister Snobelen saying, "The system is broke. We've got to create a crisis so people can join with us as we fix it, as we repair it." You have broken the system, and you've

broken the back of every teacher and every worker within that system. You've broken them so badly they can't stand up. You beat up on everyone. You beat up on the trustees, primarily—not primarily. I shouldn't say "primarily." But you said, "We can't have trustees in the education system. We can't have politicians in the education system. So what do we do? We make sure they don't earn a decent salary to be there long enough to know what they're doing. In giving them \$5,000 a year, we'll make certain the majority of trustees will never sit on that board again and will never know what the heck is going on. We'll make sure that they'll never fight this government again."

They didn't like trustees because they argued that they were too political. Mike Harris is not political; trustees are. Trustees should not be there to defend the education system, but Mike Harris can and should be there to whack teachers. That's OK. But if trustees dare seem to be defending the system, and actually are, it's not good. It's not good for parents, it's not good for students and it's not good for teachers. But to hear Frank, the member for Oak Ridges, that's not true. Only Mike Harris came in to fix the system that was broken.

The member for Oak Ridges said, "We wanted to make sure that the system keeps up with the standards." I think he said, "The system is not keeping up with standards." Who said that? Mike, the Premier, said that; Snobelen said that; the member for Oak Ridges said that; every member of the government said that. On what basis? What's the rationale? What do they know of education? Who have they consulted? They invent these mythical people whom they consult.

The member for Simcoe North said, "We've consulted the education partners." Who? Who are they?

Mr Peter Kormos (Niagara Centre): Concoctions.

Mr Marchese: Concocted, indeed. You manufacture some group. You call them parent groups; you call them partners. "Partners" is a big word; it's an all-embracing kind of word. It includes everybody.

To hear the member from Oak Ridges, the system was broke and they needed to fix it. The system was not broken. They've had six years, in their words, "to fix the system," and what have they done to fix the system?

Ms Shelley Martel (Nickel Belt): Look at those testing results.

Mr Marchese: Look at the testing results, exactly.

Mr Kormos: They can't find them.

Mr Marchese: Yes, they can't find them. In a question to the minister, I asked, "Where are those 1,400 test results?" and she said—

Mr Kormos: "My dog ate them."

Mr Marchese: No, I said that her dog ate them, I know, but she said there was a computer glitch—a computer glitch.

Ms Martel: They'll have her dog at the FRO.

Mr Marchese: She said she doesn't have a dog. She admitted she doesn't have a dog. But M. Leach had a dog, and his name was Tory. Yes, a dog called Tory. I couldn't believe it. Can you imagine naming your dog

Tory? It must have been a very cute dog, for sure. Big Tory.

Mr Kormos: It was a big dog until it got cut back.

Mr David Christopherson (Hamilton West): It used to be a Shepherd.

Ms Martel: Now it's a Chihuahua.

Mr Marchese: And so the government—

Mr Kormos: Take it over to Ernie's house. Let's do some cutting here.

Mr Marchese: I'm getting a lot of help, Speaker. Don't you mind, because I don't mind it.

Just to continue with what the member from Oak Ridges said, he said, "What a difference a teacher makes." He says teachers make a difference, and he continues—and by the way, he repeated this argument; he said it before, and I'm surprised he would say it—"We can't do what we're doing unless teachers buy into what we're doing." It's remarkable that he said that. Because here teachers are saying that they've been vilified to no end, dispirited and disillusioned to the point that they want to leave the system. I've got to tell you, Minister of Finance, there used to be 11,000—

Interjection.

Mr Marchese: Hold on.

Hon Jim Flaherty (Deputy Premier, Minister of Finance): Let my constituents know that I'm here.

Mr Marchese: I want to let the constituents from that Durham area know that the Minister of Finance is here, listening to my remarks.

Mr Christopherson: Whitby-Ajax.

Mr Marchese: The Whitby area, more or less. I've got to thank him, because he's taking an active role. He has an active hand in education. He's got a lot of hands, but his biggest reach is in education.

Ms Martel: Remote.

Mr Marchese: If not with his hands, it's with the remote control, you're quite right. I want to thank him for being here, because he wants to participate in this discussion. Minister of Finance, I want to tell you, because I know that you are omnipotent and omniscient and that you know there used to be—

Mr Kormos: What happens when he pulls the string on his Ecker doll?

Mr Marchese: Hold on, Peter.

Mr Kormos: Does she say, "We're going to fund private schools"?

Mr Marchese: Are you saying one of the ministers is a marionette?

Interjection: No, no.

Mr Christopherson: More like a victim.

Mr Kormos: "Hi. I'm Ms Ecker. We're going to fund private schools."

Mr Marchese: Can the camera pick that up, please?

But I want to tell the Minister of Finance, there used to be more or less 11,000 people applying to get into the faculties of education—more or less, give or take. There are now 8,000 of them applying. That is still enough to be able to take on the capacity of teachers we have to hire, which is about 5,500. I think they added a couple of

hundred this year. So we are not short of prospective teachers, but there is a significant drop.

Why do you think that drop happened? There's no magic to it. If you beat up on teachers, if you beat up on the profession, if you demoralize the profession—and publicly people feel that. There are a whole lot of people saying, "It doesn't sound like a good profession to be in. If I've got to get beaten up by Mr Flaherty day in and day out, I just won't like it." Nobody likes to get beaten up. Nobody does—at least, I don't think so. Maybe Leach's dog Tory might feel differently, I don't know, but I think most humans don't like to get beaten up.

So we've had a drop in people applying to the faculty of 3,500 more or less. That's a whole lot of people. People are dispirited. They don't like the profession. There's no respect left of the profession by these people. We rely on these teachers to teach our kids—we rely on them. This government claims they care about teachers. This government claims they understand how teachers and teaching are important. I understand, you understand, that you say you do.

But if you do that, shouldn't you have the teachers and the profession buying in somehow to the changes you're about to make? That's what the member from Oak Ridges was saying: "If the teachers don't buy in to what we're doing, it won't work." It's too funny to laugh at. You don't have the energy to laugh at things that don't make any sense.

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What we know is that changes, if they're going to be made, happen effectively if those in the profession say, "Yes, we think it's good," and they actively participate. They have created a qualifying test, on their own, centrally. They have not just centralized education and financing and taken it away from the trustees so that they control it, politburo-like, in a way to take money out of the educational system. They have done that so effectively while claiming they haven't. Not only have they centralized education financing in the hands of Ecker—although it's not clear, because these days the Minister of Finance appears to be controlling the whole show—but they have now centralized the qualifying test for teachers.

Cogitate on that for a little bit. Teachers are not participating in the design of what it is that should be a measurement of their skills. The College of Teachers was designed—and I've got to tell those teachers over there, I supported the College of Teachers. I did. I didn't think it was a bad idea at all. Many teachers didn't like it. I supported it because I thought it could be a college that could do good for the profession. But they have set up this qualifying test, and the teacher appraisal is set up and controlled centrally by Queen's Park, by the Minister of Education, I think. But I know that it's controlled centrally by them. It hasn't been assigned to the College of Teachers.

Don't you, if you've cogitated for a few moments, believe that the College of Teachers ought to be the body that sets up a measurement of sorts for teachers? If you're going to do something that is helpful to the pro-

fession, those are the people and that is the body I would go to for assistance and guidance. Isn't that why Mr Flaherty, Minister of Finance, you set up that college in the first place—or at least your government? They set it up with that idea in mind, I would think.

But, Jim, you have taken over responsibility of the qualifying tests and also the teacher appraisals. For those of you who are not familiar with that, I tell you that there's something wrong when governments do that. We have told this government you cannot work top-down; you've got to work bottom-up to make effective changes. You've got to involve those who are affected by it and, in this case, those who are hurt by it. It's not a matter of improving the skills of the teacher; this is political, pure and simple. There is nothing but politics in all of this. Everything is designed, member from Simcoe North, to make sure that the 45% of the public who voted for you continue to vote for you. That's what the parents' survey is all about.

Do you remember that parents' survey? Very complicated. The Minister of Education said she wanted thoughtful input. I asked how you can get thoughtful input on a question that simply asks, "Do you think this is good?" and then at the bottom you tick off "Excellent," "Good" or "Fair." How thoughtful is that? What kind of input are you getting?

By the way, if you cogitated on this matter, they have said that they're not just consulting parents in this survey, which will cost \$700,000 or a million bucks or so, give or take, in addition to all the other millions they've spent so far to politicize this issue. They want input from non-parents in this survey. How could a non-parent comment on something that is going on in the educational system? If you have no children or if you had children 20 years ago, how can you meaningfully comment? Jim Flaherty, how can you comment on that?

Hon Mr Flaherty: They're paying for it.

Mr Marchese: Who's paying for it?

Hon Mr Flaherty: They're paying for it.

Mr Marchese: So what? I thought you were getting thoughtful input from parents.

Hon Mr Flaherty: They get to say something; not taxation without representation, the Boston Tea Party.

Mr Marchese: Minister Flaherty, I know what this survey is all about. This survey is not about getting meaningful input; it's about getting a visceral response from the public, both parents and non-parents alike. Why? To prepare for an election that's coming in short order. They are preparing for an election within a year or so, give or take, and they need—

Mr Dunlop: No.

Mr Marchese: Oh, I'm sorry, member for Simcoe North. You wanted the survey to get input from parents, meaningful input, thoughtful input, because you really care about what they think.

This is all politics. I have never seen a government politicize education the way you did. While it is true that past members of our caucus could be accused of that, most of us can't be accused of that. But your government

has politicized everything in education. You have your hands on everything connected to education. These are the people you cannot trust to do anything on their own.

You set up the College of Teachers to help you do this job. That's the profession that is designed to be there to give you advice, in the same way that you set up the College of Surgeons. Do you interfere with them as you've done with this college and as you've done with these teachers? Of course you haven't. You are afraid to go after the surgeons, you're afraid to go after the doctors, but you're not afraid to go after the teachers. Why? Because you know, viscerally, in your stomachs, there is 45% of the public that likes what you're doing. Why do they like it? There's a sector of the public that likes it when you beat up on somebody. In the same way that when you went after welfare recipients you knew there was 45% or 50% of the public or more who liked you going after somebody more vulnerable than they, you're doing the same with teachers. There's no difference between welfare recipients and teachers. What is that nuance of difference? It's that there is a big sector of the public that doesn't like them, that resents the work they do for some reason.

I think what they resent most about the teaching profession is the fact that, many will argue, it's a cushy job, I guess. Teaching is not a cushy job. Teaching is a hard job. We rely on them to do the best for our children. We expect the most of them. But you don't get the best results by beating on them. You get the best results by treating them with respect and by treating them as the heroes that they really are, and you expect no less. But the way you beat up on them, you're not going to get the best product out of them. You're not. When you say that those teachers who teach in the private system, the one that Flaherty has funded, those teachers who are not qualified teachers, who don't have a certificate, don't have to be tested in the same way, you disrespect those who are teachers in the public system. You show them you don't really care about them.

You extended taxpayers' dollars to those private schools, and, dare I say, half of those teachers who are not certified will not be subject to this bill that this government wants to pass. They argue, "They're not teachers." If they are not teachers, why are they teaching? If they are not teachers, why are they there in front of those students teaching them? Should they not be subject to the same laws? If they get taxpayers' dollars, I argue they should, but this government seems to have two standards: one for the public system and one for the private. It's OK to take your money, taxpayer, to give it away to those private schools that don't need the money, but it's not OK to test them. It's OK to want higher standards from the public system, but it's not OK from the private system. What gives? Flaherty, what are you doing?

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Hon Mr Flaherty: Choice.

Mr Marchese: Choice? In the public system to be tested; in the private system not to be. It's a wonderful choice—imagine.

Ms Martel: The same with sexual predators. Imagine that.

Mr Marchese: The bill that deals with student protection, the sexual predators act—you're so big on protecting students, young males and females in our public system, yet in the private system those who are not—

Hon Mr Flaherty: You don't believe in choice. You believe in big government, like the Liberals.

Mr Marchese: What did you say, Jim?

Those in the private system who are not teachers are not subject to the law. In fact, they are protected by the law. In other words, they can abuse children and that's OK because they're not teachers. And because they're not teachers, they don't have to report to the College of Teachers. Therefore, they're not subject to the law. Do you see how nuts that is, Speaker? Have you cogitated on this matter? I'm sure the public that's watching understands this. They know that. Ernie Eves understands it.

But I'm saying to you, taxpayers, there is no difference between Flaherty and Ernie Eves—none. Taxpayers' money is still going to flow out of our coffers and go to private schools, except one says they will have to meet the same standards and the other guy says they have the choice not to. That's not much of a choice, not much of a difference. Public dollars are still flowing out of our coffers. We don't have any money but it's still flowing out.

Management Board Chair says they may have to take up to five billion bucks from all the ministries in order not to have a deficit next year—five billion bucks. Where did Flaherty send your money? Where did it all go in those six good years? Where did it all go to? Your money, taxpayers, went out of the window because he and the minister for Management Board say, "We've got to take up to \$5 billion next year out of our ministries." Where do you think it's going to come out of? Two ministries, the biggies: health and education. These are the big ministries. What else can Mr Flaherty devastate, decimate, decapitate? What else?

Mr Christopherson: Denigrate.

Mr Marchese: Denigrate. They've already denigrated everybody. Decapitation is the order of the day. It's a strong word but that's what they've done, figuratively and in reality. Where are they going to find the money except to take more out of education? But Minister Flaherty says, "Choice is good. We may have to go into a deficit, but don't worry, no deficit, because we're going to cut out of education. We're going to squeeze a little out of health and make it appear like we're not taking it out of health."

Interjection.

Mr Christopherson: He just said there will be no deficit, right from the finance minister.

Mr Marchese: There won't be any deficit, of course, because they're going to decapitate the Minister of Natural Resources, the Minister of the Environment.

Mr Kormos: More from education and health.

Mr Marchese: The biggies, and social services. These are the three biggies. Where else is the money going to come out of?

So I say through you, Speaker, to the illustrious Minister of Finance that we have a problem on our hands. We need to work with the teachers in order to get the best out of them. Teachers have been appraised for as long as I can remember. They have been appraised and will continue to be appraised in terms of teacher performance.

This government has said, "No, we don't like the way you were doing it. We're going to impose it on you, whether you like it or not. Boards of education, we don't know what you were doing, but we don't trust you to do the job of teacher performance." What do you mean, you don't trust the boards not to be able to do an effective job of doing performance appraisals? Why do we have boards? You have the Minister of Education constantly saying, "Oh, we don't want to take the job away from trustees." On the one hand, she says, "Swimming pools are a trustees' problem"; on the other hand, she says, with respect to this act, "We don't trust the boards of education to be able to do performance reviews very well." Why are they there? Why don't we just get rid of boards of education, get rid of the College of Teachers, and you take it over completely? Monsieur Flaherty, why don't you just do that? It would be so much simpler, really. Do it by fiat, do it *ex cathedra*, the power that you have, *ex cathedra* power. Just do it.

I say to you that this bill gives the power to parents to be able to determine—

Interjection.

Mr Marchese: Hold on, Jim. I've only got 50 seconds. Hold on. Quiet down.

It gives the parents the power to be able to determine the fate of a teacher, and I've got to tell you, there are going to be thousands and thousands of forms submitted by parents that will have to be reviewed by the principals who—there are no principals left in the system. There are fewer and fewer of them. Their job is going to be reviewing those anonymous reviews that come from parents with respect to teacher performance.

Flaherty, you've got to respect the profession. It's the only way we're going to be able to improve the results of our students—the only way. This bill doesn't do it because it's top down. We've got to work from the bottom up in order to be able to bring the students where we want them to be and get the teachers to give us their best. That is why New Democrats oppose this bill.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I thought that it was important that I participate in the debate this evening on the Quality in the Classroom Act. Earlier this evening, I heard the member for Oak Ridges talk about the fact that this government has been very proactive in introducing reform in the education system. I would suggest to the member for Oak Ridges, however, that this particular piece of legislation is not at all reform. This is control from Queen's Park, unquestionably. This is a move on the part of the government and the Minister of Education to control, to have some hand in what is already happening in our schools.

I have come to this role of MPP from another representative role, as a school board trustee. I had the

opportunity in that experience to understand at first hand how boards operate and what principals do. That is the role of a school principal: to assess teachers in the classroom. I know from my own experience with the boards that I participated on that this happened very regularly; in fact, I would suggest in some cases even more frequently than the process that has been outlined in this legislation. So for the members of the government to present to the people of Ontario that this is in some way a novel, new, reform measure is totally inaccurate, because these very actions are taking place already in classrooms, in school boards, across the province of Ontario.

I think it's important that the people—certainly the parents—in our province understand that. I'm a mother of four children in our school system and I have very regular opportunity to see the teachers, talk with them—not just in a school setting. I see them at the grocery store. I see them after church on Sunday. I think they are very regularly appraised and appraised of their performance in the classroom.

I want to talk a little bit, though, about the title of the bill, what it says and what I'm hearing from the people in the province of Ontario. The bill is called the Quality in the Classroom Act. I have to tell you, members of the government, that I hear a lot from parents and from members of the public who call my office and who speak to me personally about their concern for the quality of education in the classroom. But you know what? I cannot think of a situation where the issue has been around the quality of the teacher. Classroom quality issues that come to me relate to the fact that students in our classrooms in Ontario don't have textbooks and parents are very upset about the kind of quality education their children can receive when they don't have textbooks. They are concerned because their children don't have school supplies.

Interjections.

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Mrs Dombrowsky: The Minister of Finance is accusing the trustees of stealing that money. How dare he? He has not provided them with the resources that they need to provide what the children need in the classroom, so when you want to talk about quality in the classroom—is it 6,000 school boards or teachers that steal from—

Hon Mr Flaherty: It's \$6,000 per student.

Mrs Dombrowsky: Well, I would suggest that the Minister of Finance is significantly out of touch with the classroom and what is quality in the classroom.

I hear from parents who are concerned, who are upset because they pay taxes and their children don't have textbooks and they don't have supplies and they have more children in their classes than they've ever had before. I hear from parents who tell me about the fact that a year ago their child was able to receive some support from an educational assistant, but because of the process, a very burdensome process that's in place to assign educational assistants within schools, those resources are literally drying up and dwindling away from school communities.

So when the government suggests that it's looking to improve the quality of education in the classroom and

they bring forward a piece of legislation that outlines what's already happening within school communities, is prescribing what principals have been doing for decades within classrooms and within schools in the province, I suggest that this is simply a move for publicity. It's going to be another notch in the belt of the government—"Hey, this is one more thing we've done"—even though they haven't done anything, even though it's totally hollow other than it does give the Minister of Education the power to outline what competencies should be evaluated—the Minister of Education, who doesn't have to be a teacher. The principal of a school does have to be a teacher, does have to have some understanding about the profession. But what this bill will do is give the power to the Minister of Education to determine those competencies. That's what this bill is doing.

Mrs Marie Bountrogianni (Hamilton Mountain): It's pretty scary.

Mrs Dombrowsky: It's very frightening.

Another component of the bill is there's no trust. My colleague the member from Sudbury has mentioned the fact that there's no trust. I do talk to teachers. The member from Oak Ridges mentioned having heard from teachers and principals, and I do too. These people are my friends. I know them. I respect them. They feel that they are not respected or trusted in their profession.

You people need to hear that. You need to understand that what you are doing is weakening, is eroding the spirit of the professionals in our school system.

Hon Mr Flaherty: "You people"?

Mrs Dombrowsky: Well, we get called that all the time, Minister of Finance.

It's also important, I think, to note another point in this bill that relates to the component that would provide parents and students with an opportunity to offer some input about a teacher's performance. That's a novel idea. The interesting part of what the legislation set out, though, with regard to that is that they would not have to disclose who they are. So I would suggest that if a teacher were to be accused, or if it were to be intimated that a teacher was not acting professionally, then it's really only fair that they should know the direction from which that perspective is offered. But this legislation is suggesting that would not be the case. I can't support anything like that where people would have their professional abilities called into question but the people who actually do that don't have to disclose who they are. That's a very serious issue that needs to be considered and would be one of the reasons that would prevent me from supporting this bill as well.

I already mentioned the fact that the bill focuses control at Queen's Park. It is a bill that will place in legislation the practices and the procedures that are already followed in school boards. This is the government that would say, "We want to get government out of the face of the people." Interestingly enough, they have brought forward this legislation that has, in my opinion, put government right front and centre in the face of people. It has been very prescriptive about timelines and time frames around evaluation processes.

It also goes to the point that was made earlier by my colleague the member from St Catharines: who's going to do this? We know that in five years the number of principals in the province will be reduced by half, so you're increasing the workload at a time when the number of people to do the work is going to be significantly reduced.

I cannot support this bill. Actually, at this time I would like to move adjournment of the House.

The Acting Speaker: Mrs Dombrowsky has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the nays have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2016 to 2046.

The Acting Speaker: Would all those in favour please stand and remain standing until you are counted by the Clerk.

All those opposed will please stand and remain standing until you are counted by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 18; the nays are 35.

The Acting Speaker: I declare the motion lost.

Pursuant to the order of the House dated November 19, I am now required to put the question.

Mr Dunlop has moved third reading of Bill 110. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

Pursuant to standing order 28(h), the vote has been deferred until tomorrow during deferred votes in routine proceedings.

NUTRIENT MANAGEMENT ACT, 2001

LOI DE 2001 SUR LA GESTION DES ÉLÉMENTS NUTRITIFS

Resuming the debate adjourned on December 4, 2001, on a motion for second reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts / *Projet de loi 81, Loi prévoyant des normes à l'égard de la gestion des matières contenant des éléments nutritifs utilisées sur les biens-fonds, prévoyant la prise de règlements à l'égard des animaux d'élevage et des biens-fonds sur lesquels des éléments nutritifs sont épandus et apportant des modifications connexes à d'autres lois.*

The Acting Speaker (Mr Michael A. Brown): The member for Niagara Centre.

Mr Peter Kormos (Niagara Centre): Ms Churley had been speaking during her leadoff time and had some

six minutes and 45 seconds by way of remnant which she is relinquishing.

Mr Jerry J. Ouellette (Oshawa): On a point of order, Mr Speaker: Mr Jonnie Mens is in the government members' gallery.

The Acting Speaker: That, of course, is not a point of order, but welcome.

Further debate?

Hon Brian Coburn (Minister of Agriculture, Food and Rural Affairs): Mr Speaker, I ask for unanimous consent for second and third reading on Bill 81.

The Acting Speaker: Mr Coburn has asked for unanimous consent for second and third—I heard some noes.

We'll try again. Further debate?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I am very pleased to participate in the debate with respect to the proposed Nutrient Management Act, 2001.

Bill 81 is the result of extensive consultation with a wide range of people including farmers, commodity organizations, environmental groups, municipal officials and rural residents. The standing committee on justice and social policy held a series of nine public hearings across the province and received more input into this bill.

This government is totally committed to do what it takes to ensure that Ontario is the location of choice in which to work, to invest, to live and to raise a family. We are confident this is the right legislation and the right time to implement it. We are confident it is the right thing because we took the time required to develop this piece of legislation.

Some 67,000 registered farmers in the province of Ontario are represented by general farm organizations, commodity organizations, marketing boards and county federations.

There are 447 municipalities in Ontario, many of which are rural. Fully one quarter of the population of Ontario, almost three million people, lives on these rural routes and concession roads. That includes, in my riding of Barrie-Simcoe-Bradford, the town of Bradford-West Gwillimbury, certainly out in Bond Head, also in the town of Innisfil and the areas that encompass that large town. There are countless environmental groups and organizations, coalitions of concerned citizens and cottagers' associations. There are individuals involved in waste treatment and watershed management. We wanted to ensure that all those views were heard and understood. We wanted to ensure that every individual who wished to provide input to the consultative process had the opportunity to do so.

When we heard all their concerns and we had read all their submissions, then we wanted to be sure. We took the time to get this proposed legislation right the first time. We know that this proposed act would, if passed, have an impact on every person living in this province, enabling legislation that would allow the government to implement a comprehensive regulatory framework regarding nutrient management and other related farm practices in this province. It would provide the framework to phase in standards over time; for example,

according to the size or location of the agricultural operations or according to the types of practices that are carried out.

It would put in place a risk-based approach to safeguarding our environment, an approach that recognizes different categories of farming operations and regulates them in different ways, focusing a greater level of attention and resources where the risk to the environment is the greatest. All farms would eventually be governed by new regulated farm practice standards. The first category to comply with those standards would be newly constructed or expanding large livestock operations.

It also proposes to put these standards in place as soon as possible following the passage of the legislation. However, we recognize that there may be costs associated with meeting some of the requirements and we believe it is only reasonable that farm operators be given lead time to develop a plan that takes any additional costs into account.

The proposed legislation would also see an end to the land application of untreated septage. The two would be phased in to allow municipalities time to implement alternate methods of disposing of and/or treating septage. They may have to increase storage capacity or enhance treatment facilities to ensure that the next steps we take with regard to the proposed Nutrient Management Act are the right steps.

It is our intention to work with our stakeholders to develop appropriate and effective standards and regulations. It is to no one's advantage if we create rules that are so onerous, farmers are forced out of business. It's to no one's advantage if we create rules that are so lax the environment remains at risk. Nor is it to anyone's advantage to ban the land application of untreated septage before municipalities have developed a more environmentally sustainable approach.

The majority of Ontario's farmers have already adopted environmentally sustainable practices and best management practices. This is a considered approach which allows us to safeguard our environment without creating undue stress on our farmers, on our communities and on our economy.

We are privileged to live in this great province of Ontario, blessed with countless lakes and rivers; with fertile, productive soil; with hard-working, committed people. With privilege comes responsibility. Here in Ontario, each and every one of us has a role in protecting our environment: our water, our land and our air. This government knows that, and we are acting on that knowledge. That's why, for example, this government launched Operation Clean Water in August 2000. Operation Clean Water calls for province-wide efforts to improve water quality and delivery through the introduction of exacting but clear standards, effective inspection and enforcement, tough penalties for non-compliance, and strategic investment.

We know that our water and our land are intimately and inextricably connected, so we must bring the same approach to bear on our management of the land and the

nutrients we apply to it. That's why on June 13 of this year, the Minister of Agriculture, Food and Rural Affairs introduced for first reading the proposed Nutrient Management Act. The land application of materials containing nutrients, including livestock manure, chemical fertilizers, biosolids, septage and pulp and paper sludge, is governed by an array of legislative and regulatory provisions, guidelines, voluntary best management practices and a patchwork of municipal bylaws. These have been important measures in controlling the land application of these materials and in safeguarding the environment. For the most part, they have been effective because Ontario's farmers have shown extraordinary leadership in environmental stewardship.

I believe the proposed Nutrient Management Act, which has been the result of extensive consultation in putting it together and listening to the stakeholders and making sure that it balances the needs and interests not only of our farmers but also of the environment, is a proper step in the right direction, and certainly at the right time.

I know that when you look at this piece of legislation and the impact that it has on every person in this province, it's very important, when we are dealing with this regulatory framework and in bringing in the municipalities into the process—because let's face it, they have a fundamental role to play in dealing with the safety of our communities—that we put in a risk-based approach to safeguarding our environment. Certainly what we're looking at is also to regulate them in different ways, in terms of different farm practice standards.

The costs associated with the requirements, as I stated earlier, do require lead time for them to be able to implement this plan and develop the plan that we're looking to have in terms of the standards that are put forth, and that takes these additional costs into account, because, as the minister has put into the thrust of this approach, the purpose of this legislation isn't to put farmers out of business; it's to ensure that they're able to operate within the standards we want for protecting our environment but at the same time to make sure they're able to live within the municipalities in which they're doing business and are also able to operate in the most effective and efficient manner but within the framework that the Minister of Agriculture has put forth with this legislation.

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I believe the approach being dealt with before municipalities with respect to the application of untreated septage is certainly something that is very important. Having been a councillor in the city of Barrie, surrounded essentially by rural communities, you have a balancing act with respect to dealing with development of—for example, the city of Barrie is required to be on services, whereas in other rural municipalities you're not going to have the existing rural community on anything but septic. That's just the reality. The Simcoe county health unit plays an important role in ensuring that the water and the septic systems out in those rural com-

munities are up to standard and meet the requirements of a safe community within my riding, especially in Simcoe county.

The member from Simcoe North will say that his area, which has a lot of agriculture and cattle operations, in the town of Oro-Medonte, for example, is somewhat different than my riding down in the Bradford-West Gwillimbury area in terms of the animals that are raised but also the type of farming that goes on there in the Holland Marsh, for example, the cash crops and type of operations we have there. I know the Ministry of Agriculture is right on those properties, providing advice on nutrient management. The Holland Marsh is an area of great sensitivity, obviously, to the environment, but also a very fundamental and primary area of agricultural land in the practices there in terms of the cash crops. In essence, that's what is grown there.

As you move into the town of Innisfil, in terms of the livestock and farming operations, you will find it is in essence a rural community that is very strong in agriculture throughout. In fact, the town of Innisfil is the largest town in the province of Ontario in terms of geographic area. There are some tremendous requirements in meeting the needs of that area, because Innisfil is essentially made up of nine different communities with varying degrees of agricultural practices.

In microcosm, Simcoe county is something one has to look at in terms of Barrie being a large city, relatively speaking, with really no agricultural activity going on and the development that does occur is all on services, versus the rural community that surrounds it. It is a very fast-growing area, not only the city of Barrie but also all of Simcoe county, in terms of the economic growth and the urban growth we're seeing coming up the highway from the city of Vaughan and through Newmarket that's affecting this area.

What you're seeing is a tremendous balancing act between the growth being created and the resources put into play and what we're trying to accomplish here in this act. But I think it's important in terms of the flexibility.

The minister's background in municipal government certainly comes to the fore here in terms of trying to be fair with the stakeholders and the people who are going to be affected by the legislation in terms of providing lead time to try to implement this and not shoving it down their throats in no uncertain terms and saying, "You have to do this. We're not going to be flexible in terms of a phase-in, implementation, what type of operation has to meet the standards."

Certainly new operations—and livestock is mentioned—have to meet the standards that are going to be put in place. It only makes sense that they would have to meet those standards, because they are new operations. But when you're dealing with other types of operations, we have to balance what we're trying to accomplish here in terms of fairness of the legislation, protecting our environment and at the same time allowing farmers to bring their operations in line with the best practices of the risk management approach that is being looked at. That's

why I say the lead time certainly is fair and certainly is reasonable to bring your operations into line, and it gives the groups that are in place the time to look at this piece of legislation and the regulations and say, "OK. Here's how we can pool resources. This is how we can pool our knowledge and make sure that everyone is covered by the federations that are involved in this operation."

As we know, and as I said earlier, there are 67,000 registered farmers in the province of Ontario. They are represented by general farm organizations, commodity associations, marketing boards and county federations. When you're talking about this industry—because that's what it is, the agricultural industry—there's a lot of representation for the farmers who are involved in this province. As I stated earlier, there are 447 municipalities in Ontario, many of which are rural, that will be impacted by this particular legislation. When you look at it, that's a lot of municipalities that have to become a part of this process. When you look at that and balance it with what we're trying to accomplish from a province-wide approach in terms of dealing with nutrient management—and there are countless environmental groups out there that I have mentioned, because we are living in an age where the environment is of primary importance. There are coalitions of concerned citizens, cottagers' associations and environmental groups and organizations out there that are very important.

I know the member from Durham is very anxious to become a part of this exercise, but he'll have to wait his turn, as we get involved in this debate.

I want to say that I'm very pleased to see that this particular piece of legislation has been brought forth the way it has. We may have been criticized—I've been here since 1995—on how we put legislation in place in certain areas of our government's mandate, but certainly here I don't think anyone can say there wasn't extensive consultation, there wasn't a bringing together of the stakeholders to understand what their needs were from all sides and to try to bring together a regulatory framework that would satisfy what we feel is important in terms of nutrient management in this province.

I can't overemphasize that the environment is so important when we're dealing with these types of operations—because we're seeing larger operations come into place with respect to livestock, poultry, pig farming—and what you have to look at in terms of making sure that we have the standards in place. For example, when you're dealing with the building of residential housing, condominiums or whatever, the municipalities have in place certain bylaws and requirements for that type of building because they basically know that they have to address an industry that is changing. Certainly buildings are getting bigger as we have moved along over the years. Also, the building code standards that you have to build those buildings have to meet the needs of the industry and satisfy the concerns of the community in terms of environment and safety.

I'm very pleased to have been able to speak on this legislation, the proposed Nutrient Management Act,

2001, and I certainly commend the minister for the fine work and consultations that were held.

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Mr Richard Patten (Ottawa Centre): I think the government side would know that we are in support of a good, strong Nutrient Management Act, but this ain't it. This is a rather vacuous shell of a bill that provides a framework and then says, "Trust us. We will consult with the farmers and we will consult with the members of the Legislature." But now, once the bill is passed, it effectively means whatever they decide, that's what will prevail. They don't have to talk to us. They say they will consult with us. We offered amendments during the committee. Every single amendment that we thought would ameliorate and strengthen this bill was turned down by the government, every single one.

Anybody who cares about agriculture, anybody who cares about the environment, anybody who cares about good food in their own right could never support something of this nature, because it's a sham, it's a shell. It does not have the substance that we think is required in order to do this. We're talking about health and safety. There's no mention in the bill, by the way, about food, is there? Talking about the environment and groundwater, you're talking about waiting five full years to consider untreated human waste on farm fields on which we grow vegetables. Five years?

Interjection: Five years.

Mr Patten: Can you imagine: five years to wait for this? The New England Journal of Medicine just reported about a month ago the pass-through that happens by way of antibiotics or what have you that may have been fed to animals or even in humans, people who have illnesses and excrete waste. Those germs, those viruses and those bacteria, show up in our fields, and that's not good enough.

Mr David Christopherson (Hamilton West): In response to the comments by the member for Barrie-Simcoe-Bradford, I want to underscore comments that our critic, Marilyn Churley, made on December 4. The first thing she did, much like the previous speaker, was describe the bill. I quote from Hansard: "The bill before us tonight is a prayer and a promise; it's a framework for down the road."

Further to that, one of the things that causes our caucus the greatest concern is the lack of regular inspections and the lack of a commitment on the part of the government to hire staff to do the actual inspections. People who followed the Walkerton inquiry will know that the farm that was alleged to have been the potential source—we don't know for sure until the judge reports, but it would seem from the evidence that there was one particular farm in question. If indeed that turns out to be the farm, the interesting thing as it relates to this bill is that those farmers had a nutrient management plan. It would seem that they followed all the rules and did everything by the book that you would expect. The problem was that they had a crack in the manure storage tank.

You can follow all the rules in the world and you can file all the nutrient management plans in the world, but if there aren't actual inspections being done of the physical assets, we still run the risk of future Walkertons, and the government to date has refused to address this key issue of inspections and inspectors.

Mr John O'Toole (Durham): Thank you, Mr Speaker, for recognizing me. Earlier today you failed to do that.

Nonetheless, I just want to pay some respect, on Bill 81, to Minister Coburn, who is in the House here this evening along with his parliamentary assistant, Mr Galt, from Northumberland.

With respect to the member from Barrie-Simcoe-Bradford, I listened quite intently. This is why I wanted to get up and respond. He's one of the more eloquent Thursday morning speakers. This must be very important to him, because he has stood on his feet here tonight.

In the gallery tonight—it's important to recognize just how important this issue is, not just in my riding of Durham. I automatically think of some of the major stakeholders in the agricultural community: Dale Mountjoy and Dennis and Karren Yellowise and David Frew. What they want is a clear, concise set of provincial standards. I've heard that repeatedly, and the minister has done this with Bill 81. This is about business decisions. They want clarity so that when they make these significant contributions—let's keep in mind that this is the second-largest industry in this province.

When I look over at the gallery tonight, I see Jack Wilkinson and Ron Bonnet, and I see the OFA needs to have this happen. They're an industry. They're not just agriculture, as someone 10 years ago in previous governments thought of it. They need to have clear, concise standards so they can make wise investments and provide, more importantly, food quality—another initiative of this minister. They have respect for the environment. For anyone on the other side—I've heard them repeatedly make these sloughy kinds of references to a lack of respect for the environment. That's simply not the case. They believe in environmental stewardship more than perhaps other members in this House.

So I commend the minister. I think the opposition have had their opportunity to speak. It's the right thing to do, it's time to do it and I commend the minister for being here tonight at this time—well, it's still early; we've got three hours to go. Thank you for giving me the opportunity to speak.

Mr Steve Peters (Elgin-Middlesex-London): There's no doubt that every one of us has called for this legislation, that there's a need for province-wide standards, that we can't allow municipalities to have a hodgepodge of standards across this province. We know next year there are going to be 25 municipalities whose interim control bylaws are going to expire, and that again is going to throw this industry into chaos.

But there's a mood out there that the Liberals and the NDP are blocking this legislation. Let's just do a little bit of a chronological backwards history of where we're at.

This all started in January 2000 with the Doug Galt and Toby Barrett report, going out and touring the province. We waited into 2000 for legislation; we didn't see anything. We waited into 2001, called for the legislation, and we didn't see anything. It wasn't until the spring of 2001, coincidentally enough just before individuals had to speak at Walkerton, that the government introduced this legislation. We went out on province-wide consultations, and I commend the minister and the ministry for that, because all three parties participated in those consultations. We heard loud and clear the need for this legislation.

But then things slowed right down again. It was a week ago that we last dealt with this legislation. This government is leaving the impression out there that we're holding this legislation up. But this government hasn't called this bill until tonight. Then they stand up tonight—and we have representatives of the Ontario pork producers and the Ontario Federation of Agriculture here this evening. They're here; I don't know what they were told and why they were here to show up at 8:30 this evening, leaving some impression that we're going to deal with this legislation and pass it tonight. There are so many faults with this legislation, but they're trying to ram it through at the very last minute when they've had time to deal with it. Unfortunately, they didn't do that.

The Acting Speaker: Response?

Mr Tascona: I'm very pleased to respond. I thank the members for Ottawa Centre, Hamilton West, Durham and Elgin-Middlesex-London for their comments. Here we are debating this bill at 9:20 pm. I think the government obviously is very serious about making sure that this piece of legislation proceeds. The member from Ottawa Centre is complaining that there's too much lead time. The bottom line here is that we're talking about 67,000 registered farmers and 447 municipalities that are going to be impacted by this. I think the member from Elgin-Middlesex-London stated very clearly and was very positive in the sense that there's a need for province-wide standards and there shouldn't be a hodgepodge of municipal laws. Bill 81 essentially does that. It provides the provincial standards that are necessary, and there has to be lead time. There just has to be.

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The member from Hamilton West mentioned that he's concerned about how this is going to be administered. I have full confidence in the Minister of Agriculture that he knows what to do to make sure this bill is administered properly and that he's putting the regulatory framework in place to make sure that happens. So I would say to the member from Hamilton West to put his trust in the Minister of Agriculture. I think he knows what he's doing.

Interjection.

Mr Tascona: The member from Durham, who is properly placed right in front of me, to my right, basically says, "My constituents want clear and concise provincial standards. They have to make business decisions, because this is very important to them and they want this legislation so they can make those decisions." I would

say to the member for Durham, he certainly is responding to the needs of his constituents, and that's what this government has done: they've responded to the needs of this province.

Interjections.

The Acting Speaker (Mr Bert Johnson): Just a moment, please. If you'd like to speak, ask for the floor, as long as you're within the rules. Other than that, we'll be asking you to leave.

Further debate?

Mr John C. Cleary (Stormont-Dundas-Charlottenburgh): I am pleased to make a few comments on this bill. I know they talk about people in agriculture. Well, I lived on a farm all my life, since day one. We've milked cows, we've had pigs, we've had hens, we've had everything that goes along with it, and cash crops. So I know how important it is to protect our water, our food and our air. If we don't protect that, the health care system in this province cannot afford the bills.

Ontario Liberals oppose and cannot support this bill. They are not satisfied that we'll determine later how you will protect the groundwater. MPPs are asked to vote on the bill, and the regulations will come later, through the cabinet. This is an issue I've heard lots about in talking to several farmers. I guess there are farmers both ways on this issue. Some farmers even told me that if this bill comes into effect the way it is presently, they're going to sell their farms.

On June 13, the Conservative government introduced Bill 81, the Nutrient Management Act, to regulate manure and other nutrients. Ontario Liberals cannot support this bill, over the possible regulations and the costs that may be involved. I guess a lot of agricultural people as well as many others don't trust this government to come in with the regulations.

The Liberals, the farmers, rural residents, municipal leaders, environmentalists and the Environmental Commissioner have called on the province for their rules for many years. After promising this bill back in the spring of 2000, the government has tabled that they want to phase in this bill over a period of five years.

If the bill goes into effect, it must include financial resources, because many farmers tell me that they don't know what their bills will be. They've had bad weather conditions over the last few years and they're concerned about how all this is going to be paid for.

Additional reasons why we don't want to support it:

(1) The Liberals put through a number of amendments at the hearings on Bill 81 and they were voted down on most of the issues.

Removal of provisions in the bill will allow the government to privatize some of the services. On inspections, administration and training services as well as many other important government health and safety issues—drinking water and food safety—the government's privatization agenda threatens the health and safety of Ontario's working families.

Forcing the government to implement regulations to protect our water: instead, Bill 81 essentially still states that the government will introduce regulations.

The standing orders of the Legislature do not allow us to introduce amendments. They said that the bill was OK and that they would provide assistance to farmers to help them meet the new rules.

(2) The Tories also insisted that we support the bill in a blank-cheque form. They have offered to consult with the members of the Legislature. We as a party are in favour of nutrient management, but we think there should be more parties involved and we should listen to more of them. Although the government will say they've listened on a number of occasions, we didn't get in the bill what we want.

What is required in a nutrient management plan?

Should there be different standards for different-sized farms? What size? How many different categories? Should small farms be exempt?

When should these farms in these categories have to meet the requirements in Bill 81?

What kind of storage is required? That is a big issue for many in our agriculture community.

When can manure be spread? What kinds of soils? How far from waterways, municipal neighbouring properties and homes? When I was on municipal council for 15 years, back in the 1970s and the early 1980s, that was a big issue. As you know, Ontario is changing and the little communities are growing up all over, and that's a big issue.

How far should livestock be kept from waterways and municipal wells?

What training or certification will be required to spread nutrients?

What will be the fees be for training, certification, permits?

Who is going to administer and enforce the bill: the Minister of Agriculture and Food? Local advisory committees? The private sector?

(3) Bill 81 will allow untreated waste to be dumped on fields for five years, and that's a big issue right now in our part of Ontario. It is very likely that the final report on the Walkerton inquiry will contain recommendations for managing nutrients. That was a pretty sad day, what happened up in Walkerton. I know when I was in municipal politics, the way the situation was at that time, we had a water treatment plant in my community and we watched that on a daily basis. The board of health—under the old system that could never have happened. That would have been shut down when the first test went in. I think people were a lot safer at that time.

Bill 81 will allow the Ministry of the Environment and the Ministry of Agriculture, Food and Rural Affairs to develop regulations for managing the spreading of nutrients on farmland. Examples of nutrients include manure, biosolids, municipal waste, pulp and paper sludge and septic, untreated human waste.

The issue of managing wastes and manure has become very controversial in recent years, with the increased number and size of the farms. At one time a farmer had eight, 10, 12 or 15 cows. Every place in the concession had one. Now that's all intensified and one farmer runs the whole concession.

Relationship to existing bylaws: The bill is intended to deal with the issue outside of current environmental laws. The Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act all take precedence over Bill 81. In other words, if a farmer pollutes a river he could be charged and convicted for violating the EPA, and that has always been the case in many areas in the province. The farmer always got the blame for these other issues that probably he didn't have anything to do with.

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Bill 81 will take precedence over municipal nutrient storage and spreading bylaws, even if those bylaws are more strict than the proposed rules of Bill 81. One area of potential conflict, however, could be where large-scale farms have acceptable nutrient management plans under Bill 81, but the local municipality has a bylaw or official plan limiting the size of the farm.

Nutrient management plans: all farmers who apply nutrients on the farm are required to have a farm plan.

Nutrient management strategy: all facilities that produce nutrients that must be spread on farmland will be required to have an approved strategy for properly storing, transporting and spreading the wastes they create. Examples include municipal sewage, pulp and paper facilities and large-scale farms.

Responsibility for administering the bill: the bill does not lay out who is going to administer the legislation—training, approval, monitoring and enforcement. The government has conflicting signals: the Ministry of the Environment or the Ministry of Agriculture officials and inspectors. Confusing the issue is that the government has proposed to allow for our local advisory committees to play a role in educating and involving the community.

Bill 81 also shows the government's intention to privatize an important responsibility for public safety. I would hope that the government would be involved in administering this. The government states that the private sector will not initially be involved, but the bill allows for a new agency, corporation or administration.

I know this is a very important piece of legislation. I hope that all parties on all sides of the House and all the stakeholders, the agriculture community and the municipalities can work together and try to solve some of these problems. In fact, the one big issue that many farmers contact me about is, who's going to pay for all this? They've been downloaded on now by this provincial government and the agriculture community has a lot of things to put up with—weather conditions, market prices and everything—and they don't feel that they can pay for any more of these issues. I'll leave it at that.

The Acting Speaker: Comments and questions?

Mr Kormos: At long last the government has called this bill. It took long enough. One would think they had no interest whatsoever in the status of farmers as it relates to the nutrient managements plans. It was a year ago down at the OFA annual meeting in Niagara south, at the Niagara south OFA, that I had farmers coming to me saying, "What's the status of the nutrient management

bill?" It was more than that; it must have been two years. I said, "It's not on the radar screen yet." The government presents a bill and it takes what seems like a lifetime for the bill to even come to the Legislature for second reading.

Is this some kind of cruel joke that you're playing on farmers in the province, that you call this bill for what is in effect the substance of second reading? Sure, there have been the leadoffs. Heck, that was last week already. Is it some kind of cruel hoax that you're playing on farmers that you call it, what, two days before the House is scheduled to rise, when you know the bill doesn't have a snowball's chance in Hades of passing third reading in that period of time? What kind of games is this government playing?

The Acting Speaker: Order. The member will bring his comments and questions within the speech of the member for Stormont-Dundas-Charlottenburgh, please.

Mr Kormos: Quite right. You know that the member from Stormont expressed dismay at the apparent disregard of this government for farmers. The dismay is shared by me with respect to this government's disregard for farmers in terms of the length of time it took them to bring this bill forward, knowing full well that the bill won't pass before this government—we're prepared to come back January 14 to finish debate of any number of bills.

Howard Hampton's here with me now. He's going to be speaking to this matter. He has indicated quite clearly that nutrient management, Bill 81, deserves full debate. It's going to impact on a whole lot of farmers. There's not a whole lot there, because the bulk of it is going to come by regulations done behind closed doors in secret without any real consultation, notwithstanding what this government may have presented to farmers in Ontario. We will be speaking to this bill as the night progresses and as the days progress.

Hon Mr Coburn: I know there's a lot of huffing and puffing on the other side about our trying to hold this bill up. Whenever this bill came up for discussion and we were trying to develop the parameters around it, we went to extensive lengths to make sure there was extensive consultation with our stakeholders because of the magnitude and the ramifications of it, both environmentally and from a business point of view, and for the sustainability of agriculture.

A total of 182 organizations and individuals submitted comments or made presentations. We had 68 farm organizations, 21 environmental groups, 31 municipalities, 10 conservation authorities, 14 private companies and 38 individuals commenting. A 60-day posting of Bill 81 in the Environmental Bill of Rights registry also resulted in 22 submissions. The next step: we went to committee. Ten days of hearings we had across this province. This bill has had more consultation and input than any—

The Acting Speaker: Order. I appreciate all of that, but I'd like you to bring your comments to the speech from the member for Stormont-Dundas-Charlottenburgh.

Hon Mr Coburn: Isn't that particularly what he was talking about, the length of time it took for us to bring

this and then to do something about it? That's what I'm addressing. The consultation, to make sure that we got it as right as we possibly could in terms of developing the framework and enabling legislation around this, isn't something that's done on the back of a napkin. It takes time and it takes a lot of consultation, working with our farmers and our stakeholders, who have a huge investment in this, as does society in general in terms of environmental concerns that we have throughout rural and small-town Ontario. This is another step in terms of the clean water plan that we have in this province, and that involves all of us. So this is not something that is taken lightly on this side of the House or on the other side of the House as well.

It's time to move along so then we can develop the regulations around this and have a good piece of legislation. I'm sure the members opposite really do want to do that.

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I'd like to commend my colleague the member for Stormont-Dundas—Charlottenburgh, because he certainly raised issues that have come to me from the farmers in my riding: questions around what a nutrient management plan should look like. That's what the farmers in my riding are asking me: "What is it going to require of us? How much money? What kind of investment will it require of us?" I think the member made that point very well, and I thank him for that. It's one of the big reasons why members of the opposition are not able to support this legislation, that we've been calling for for years. We have, because we've been hearing it from our constituents, from the farmers that we represent.

My colleague the member who spoke a few moments ago also pointed out that this has implications for our communities, the health and well-being of our communities. He made reference to Walkerton. We are waiting to hear recommendations from that commission, that has had the onerous task of considering what happened there and what we need in this province to make sure that it never happens again. My colleague, the member, has indicated that's an issue, a very important historical event that we should be paying some attention to and perhaps including some of the recommendations that may be made at that time by the justice into this sort of legislation.

The final point I want to affirm, that my colleague made earlier, is the fact that this government has asked us to trust it to bring in the regulations that they heard people talk to them about when they did the consultations. This is the government that has asked us to trust them with the safety of our environment. I'm sorry; I don't have that trust.

2140

Mr Gilles Bisson (Timmins-James Bay): To the comments of my colleague from the Liberal caucus from Cornwall, who made what I thought was an interesting presentation, a factual presentation on the bill, I, like him, have a few problems with this bill in regard to, not so

much the process—I think the minister tried to speak to the process and was found out of order—but more the content of the bill. The big part of it is what is left to the regulations. Far too often we see the government bring legislation to the House that probably most of us could agree with if the government were to try to spell out in the bill what it wanted to do and then actually give the bill the kind of teeth it's supposed to have to make it work. I guess we'd have something that we'd be able to support as far as what we're trying to do here.

Part of the problem is that when we look at the bill, much of the detail is left to the regulations. That is a big part of the problem, because it's becoming a large pattern for the way the government does things here. They put something in legislation, they call the title of the bill one thing and say, "The bill will do X," by way of the title. You read the bill itself and it talks about what the bill should be doing, but then it says basically that we're going to leave much of the decision-making and much of the powers to the minister by way of regulation. I think that does not give the kind of assurance that farmers need and in other bills that people need.

For example, in the case of the Ontarians with Disabilities Act much is left to the regulations in the same way that in the Nutrient Management Act we have the same kind of situation going on that deals with passing most of that on to the regulations. I thought the member made a good point on that.

As far as the need for debate on this particular bill, I believe the government didn't do the job it should have done when it comes to accepting a number of amendments that were put forward by both opposition parties. The government seems to feel that it has all of the answers when it comes to this bill, and was not prepared to accept many of the recommendations that my colleague Marilyn Churley had put forward that we thought could have made this bill a lot better.

The Acting Speaker: The member for Stormont-Dundas-Charlottenburgh has two minutes to respond.

Mr Cleary: I'm pleased to thank my colleague the member from Niagara, who has always been concerned about the regulations. Even at the hearings he brought them up many times and he felt that you couldn't trust the government to bring in regulations that would be satisfactory to this bill.

I guess I have to take a bit of exception to what the minister said, that the opposition is holding up the bill. Well, they've been in power since 1995, so I don't think that stands very well.

I would like to thank the member from Hastings-Frontenac-Lennox and Addington, because I know she has many of the issues that I hear a lot about too, and also the member from Timmins-James Bay who, at the hearings that I was at, also brought up the regulations. He was very concerned.

I know everyone should work hard, all three parties, to get this bill in place, because with the changing times in agriculture it's a lot different than it used to be. There have to be changes and we should work to make a good

bill that's satisfactory to all the residents of Ontario, because every Ontarian and beyond depends on safe, quality food and good water and good air. It's one of the most important issues we have. If we don't get a bill in place that's good for all Ontario farmers, the second-largest industry in the province, the health care system will be more burdened than ever. So I hope the government will try to consider some of the issues we've talked about in committee and on the road and hopefully make a few exceptions so everybody will be happy and we can get on with the legislation.

The Acting Speaker: Further debate?

Mr Garfield Dunlop (Simcoe North): It's a pleasure to be here this evening to say a few words on the Nutrient Management Act, 2001.

If I could take just a few moments, I'd like to introduce to the House this evening some of the people who are in attendance from our agricultural community. A couple of people have slipped out, but first of all I want to introduce the president of the Ontario Federation of Agriculture, Jack Wilkinson. With him are: Deb Lethridge, from the OFA as well; Dennis Zekveld, from the Ontario pork producers; Jasper Vanderbas, from the Ontario pork producers; and Clare and Ben Schlegel from the Ontario pork producers as well. He's back from the hockey game. He was down watching the hockey game.

The Acting Speaker: We welcome you to our Legislature tonight. Just in case your mom is watching, Ben, we're glad you're back from watching the hockey game.

Mr Dunlop: It's a pleasure to say a few words on this bill. I understand the opposition—I'm assuming now they're not in favour of it. I'm not sure what's happening, by their comments.

I did want to make a few comments on the second reading of the bill. The proposed legislation is the result of extensive consultation. First of all, there has been extensive consultation on this bill, as Minister Coburn said earlier, but I want to thank the member from Haldimand-Norfolk-Brant for the work he has done on it, along with the member from Northumberland, Dr Galt. Dr Galt, of course, was the parliamentary assistant to the Minister of Agriculture at the time. In the winter of 2001, Dr Galt and Mr Barrett from Haldimand-Norfolk-Brant did massive consultations across the province and literally visited locations for three or four weeks, and in almost all locations had literally hundreds of stakeholders out to listen to the consultations.

Then, of course, this past summer we did more consultation on the bill itself, after first reading. I was able to attend one of the meetings out in Caledonia, and we had a number of our stakeholders from across the province, particularly from that area, who came out to voice their concerns.

This bill is certainly long overdue. It has been long overdue by many governments. When we talk about consultation, I have to go back to my days in municipal politics, when I first heard about nutrient management and intensive agriculture. At that point it came from

visiting with the western wardens down in Guelph, and all of the western wardens were quite concerned at that time about nutrient management plans and bylaws that municipalities had. It was certainly an issue at that time they were quite concerned about. They were looking forward to leadership from the government to come up with some kind of a policy.

Certainly I know that intensive agriculture has been debated for a number of years at the ROMA conferences and at the AMO conferences. The Ontario Federation of Agriculture holds events across our province and I congratulate them for the amount of time they lobby. They're a great lobby group and they work toward a common goal. They've visited with all of us at one time or another and have certainly got the message out that they want to see this particular piece of legislation passed as soon as possible.

Mr Bisson: Sit down.

Mr Dunlop: No. We did lose two and a half or three hours of debate because of adjournments in this last week, and I'm interested in that too. Maybe we could get a better explanation of why the opposition would actually try to adjourn debate for that much time, when they consider the time so valuable.

I know my colleague from Barrie-Simcoe-Bradford talked a little earlier about some of the operations in his part of Simcoe county, but I'd also like to pay tribute to some people in my riding of Simcoe North as well. Many of the farmers in Simcoe North are members of the Simcoe County Federation of Agriculture. They are an organization that I'm pleased to represent, because they continually—I guess the word is "lobby." They keep us informed at all times. I know there are four or five key people who are on the phone on almost any issue and certainly allow us to make an informed decision on things that are happening across the county. As you know, Simcoe county is one of the more diverse areas of the province. It doesn't have the same quality of agriculture as we see in southern Ontario, but it's very diverse. We see it from things such as the Holland Marsh in the south end of the county to the Cambrian Shield on the top end of the county, where very little farming takes place. In between, people do a good job. The Simcoe County Federation of Agriculture is represented by Bob Nevison, the president there right now; he, along with past president Brian Jones, works very well toward putting a good name and a good force behind agriculture in Simcoe county.

2150

As well, I'd like to acknowledge some work done by a particular group in my riding that has worked very well toward controlling surface runoff and that sort of thing on farms. That's the Severn Sound Association, who have done a RAP program for the last six or seven years. It has been very, very successful. They've worked in partnerships with the municipalities, the farmers and the province. On a number of occasions, we've been able to help farmers implement programs to help them with surface runoff around their farms. That would include even

things like septic beds for their houses and that, where they maybe had an inappropriate septic bed. Again, I'd like to pay tribute to the manager or the executive director of Severn Sound, Keith Sherman, who's done an excellent job, and to a past employee with the Severn Sound Association, Julie Caley, who's now working with OMAFRA. To me, they've done a great job.

I'd also like to pay tribute for a moment to Minister Coburn, our minister. He's sitting over there beside our past Minister of Agriculture, Food and Rural Affairs. I just want to say that we're so pleased with some of the legislation he's come forward with here: the food safety bill, this particular piece of legislation. He's worked very hard on this, along with his parliamentary assistant, Dr Galt. Also, I'd like to comment on the fact that he went to bat for the farmers early this year on the funding we received—I forget the name of the program at the current time—and he was able to come up with about \$90 million. We tried to get a little bit more out of the federal government. I don't think they ever did come up with their fair share. Like usual, they didn't come up with their fair share. Anyhow, Brian Coburn led the way on that and has done an excellent job. I know it allowed many farmers to get their crops in early this year, and I was quite happy to see that.

I'd like to thank the people I've just mentioned, particularly Mr Barrett, who has worked so hard on this legislation and represents his constituents in Haldimand-Norfolk-Brant so well.

I'd like to talk a little bit about the bill for a moment, because there are a number of key points we'd like to bring up. Again, we'll be looking forward to further debate here tonight.

As part of our government's Operation Clean Water, the proposed legislation would put in place preventative measures to address the effects of agricultural practices, especially as they relate to land-applied material containing nutrients. Our goal is twofold here tonight: to protect the environment and quality of life for all residents of Ontario, thereby furthering the government of Ontario's Operation Clean Water, and to enhance the agriculture business climate by providing farm operators with clear and consistent rules on which to base investment decisions. As everyone knows, to operate a farm today is a major investment. Most people, though, probably don't realize the size of some of the agriculture operations we actually have here in the province of Ontario. I have some in my area now that—years ago, a family farm was 200 or 150 acres, but today I've got families running farms of 3,000 and 4,000 acres. It's amazing to see exactly the size and type of investment people have, particularly in their tractors and their buildings.

There is strong agreement on key features of the bill: first of all, the need for regulations around the land application of materials containing nutrients; the need for clear, consistent standards that are good for farmers and good for municipalities; and the need for enforcement

officers who require understanding of agricultural practices and environmental issues.

The majority of farmers are already good environmental stewards. Many have nutrient management plans in place, many follow best management practices and many have voluntarily completed environmental farm plans. I think I mentioned that earlier when I talked about organizations like the RAP programs we have across the province, how well they've worked with the agricultural community already to implement some really good plans. The proposed legislation would build on those voluntary actions by making them mandatory, and that would incorporate a lot of the farmers who haven't had the opportunity to participate. This would not only protect the environment; it would ensure that all Ontario farmers are on a level playing field.

The proposed legislation would, by providing a clearly articulated set of regulations, enhance the business climate in which farmers operate, allowing them to make fully informed investment decisions.

The proposed legislation would address concerns of rural residents regarding the impact of agriculture on the natural environment, increasingly regarded as a key factor in the quality of life.

The proposed legislation would also enhance the farmer's ability to compete in the marketplace. Consumers everywhere want assurance that food is not only safe and of high quality but that it has been produced in a sustainable manner.

Our government recognizes that there will be implications for all, so intends to work with all stakeholders in the development of standards and regulations and to phase in compliance with the standards over time.

This is a common sense approach. The proposed legislation is to address the risks, to know that certain farming operations, certain farming practices, pose more risks than others. It makes good sense to phase in implementation of regulations starting with the areas of greatest risk.

The proposed Nutrient Management Act, 2001, has the support of the farming community, municipalities, environmental groups and rural residents. They want this legislation and they want it in place now. But it still does not give Ontario an integrated, comprehensive approach to safeguarding our environment. This mix of measures lacks clarity and it lacks consistency.

The people of rural Ontario asked us to do what it takes to protect the quality of life, to clearly outline roles and responsibilities relating to the management of land-applied nutrients, to provide a framework that allows a balance between agricultural growth, environmental sustainability and community well-being.

By the way, Mr Speaker, I do intend to return your coat as soon as possible. I do apologize for that.

Mr Tilson: He's the one.

Mr Dunlop: By mistake, yes.

The proposed Nutrient Management Act, 2001, would do all that. It would provide the authority to establish

province-wide standards, the authority to conduct inspections, the authority to—

The Acting Speaker: Order. I think we'll have to be very careful talking about a coat thief, because in my riding somebody might think that was a young horse and that might still call for hanging; I'm not sure. Member for Simcoe North, we're interested in your comments; we're not interested in those coats or colts.

Mr Dunlop: Mr Speaker, I really apologize for bringing out the fact that you've lost your coat.

If I could just repeat what I was going to say, the Nutrient Management Act, 2001, would do all this. It would provide the authority to establish province-wide standards, the authority to conduct inspections, the authority to issue compliance and preventive orders, the authority for provincial enforcement and the authority to impose a range of penalties. The proposed legislation would allow for an approach to regulation that recognizes the different risks associated with different types and scales of farm operations. It would support an innovative approach and an interdisciplinary and multi-sector regulatory framework.

With our partners in government, both at the provincial and municipal levels, and with key industry and community stakeholders, the bill would ensure that strict land application controls, including seasonal and timing restrictions, setback requirements, quality criteria, testing requirements and registry requirements are developed and adhered to.

The bill would establish provisions for alternate service delivery of activity such as the review and approval of nutrient management plans and the operation of a registry for those plans, if that is shown to be the most effective and efficient way to deliver these services.

The proposed legislation would also establish provincial inspection and investigation powers consistent with those given to provincial officers under the Environmental Protection Act. The bill would also allow these officers to make an order directing compliance with the proposed act.

2200

Our agriculture industry and our rural communities would continue to thrive together. A few people tonight have mentioned the size of the agricultural sector in our province, the number of people they employ and the amount of food they produce. We need a good, strong agricultural community and we need a good, strong, safe environment. I think it's easy for them to work together. We just have to continue down that road.

Consumers everywhere are looking for assurances that the foods they eat are not just of high quality, are not just safe, but also that those foods have been produced with environmentally sustainable practices. Government recognizes this and is forward-looking enough to address issues. We anticipate that in the very near future the desire for those assurances will become a demand.

Our government would be irresponsible if it did not work in partnership with the agriculture industry in a proactive manner to put a framework in place that allows

our primary producers to meet those demands. Again, I want to congratulate Minister Coburn. I know he has worked very hard with all the stakeholders in the agriculture community, and he listens. I compliment him for his abilities. I know he is trying his best to work with all the stakeholders in the community. That is exactly what the proposed legislation would do. Clear, consistent standards, regular audits and inspections, orders of compliance issued as required and the authority to fairly enforce regulation: these measures will send a clear signal to consumers everywhere that Ontario farmers have once again raised the bar.

Nothing comes for free, but every sound investment yields a return. Ontario's farmers know that. That is why so many of our primary producers have already voluntarily invested their money in environmental stewardship. More than 17,000 environmental plans have been completed and implemented, best management practices adopted on farm after farm, and producer upon producer has changed their production practices, not to save money but to enhance their products and safeguard the environment. These farmers are beginning to realize returns on those investments. They are winning new markets and expanding existing ones. They are finding new efficiencies and they are making productivity gains. More important, these farmers know that by adopting this proactive approach, they are ensuring that our valuable resources of fertile soil and clean water are being very well managed.

The proposed Nutrient Management Act, 2001, would enable the government to implement and enforce regulations requiring the same care for and investment in the future for all farmers in our province. Such a concerted, province-wide effort can only enhance Ontario's reputation as a producer of outstanding agri-food products.

The proposed legislation would also enhance the business climate in which Ontario's farmers operate. Clear rules and consistent application of those rules mean that investment decisions can be made wisely, with a certainty that those rules aren't going to change tomorrow. Every farming operation will be able to take advantage of a stable business climate, make sound investments and reap the benefits of those investments. As we know, when farmers prosper, rural communities prosper; indeed, all of Ontario would prosper. Farmers are very well known for spending their profits and spending their money and putting it back into their farms.

The proposed Nutrient Management Act, 2001, would safeguard our environment, boost our agricultural competitiveness, enhance the business climate in rural Ontario and allow each and every one of us who lives in this great province to enjoy a quality of life that is second to none. Many of us in this room are from agricultural backgrounds. We've been raised on a farm ourselves or our spouses are from the agricultural community, and many of us of course represent very diverse and agricultural communities across our province.

This is a very important piece of legislation. I would ask that all members support a very speedy passage of

this particular piece of legislation. It's needed in the province. Again, I thank the minister and you, Mr Speaker, for the opportunity to say a few words here this evening. This is good legislation. We need it. Let's get on with the show. Let's pass this legislation as soon as possible and make farming a better place for all the citizens of Ontario.

The Acting Speaker: Comments and questions?

Mrs Lyn McLeod (Thunder Bay-Atikokan): I appreciated the comments of the member from Simcoe North. There were one or two points, particularly at the very beginning, where I was actually in agreement with him. For example, I would agree that on this bill there has probably been more consultation, which I think the minister said earlier this evening, than on any other bill the government has presented this fall. I can't deny that. In fact, there was reasonably good consultation in terms of the committee hearings on this bill, in contrast, for example, to the community care access centre bill, which may be called even later tonight because there is to be no consultation on that bill whatsoever. So in terms of the consultation on this bill, compared to everything else this government does, I am in agreement that this is reasonably good consultation.

The member from Simcoe North began early in his remarks to say that he didn't know where the opposition stood. I would have thought it would be very apparent, if the member from Simcoe North had been listening as closely to the remarks of my colleague as I was listening to his. One of the reasons why our caucus is not supporting the bill is because the consultation process that the government takes such pride in did not lead to the approval of any amendments. It didn't lead to the bettering of the bill. So the significant concerns that our colleagues have expressed about the bill remain in the bill. I would have thought that the member for Simcoe North might have acknowledged some of those. He spoke about intensive farming and becoming aware of some of the concerns related to intensive farming.

As it was said earlier this evening, the direction of the bill is one that we support. The intent of the bill, as the member from Simcoe North said, to ensure that we have clean water, is one that we most definitely support. We've called for this bill for a very long time. But it wasn't until after the tragedy of Walkerton that the government was prepared to deal with the issues of the way in which farming practices may affect the quality of our water.

There is so much more that could be said that the member touched on that needs further explanation; standards, for example. We agree there need to be province-wide standards, but we also agree that they have to be enforceable standards and there have to be the people to enforce them.

Ms Shelley Martel (Nickel Belt): The member for Simcoe North said in his remarks that this bill is going to make sure we have safer food, better water, and that we should trust the minister, even though this bill only represents a framework and nothing with respect to

standards and timelines are in it. Those are going to be developed in the regulations. We shouldn't worry about it. We should leave it to this minister to look after us.

The reason why I'm not interested in trusting the Minister of Agriculture and Food when it comes to food safety is with respect to the auditor's report, the most recent auditor's report that dealt with this government's, this minister's food industry program. Here is what the auditor said about trusting this government.

"Food safety deficiencies that are defined as critical by the ministry and could pose risks to human health were noted during annual licensing audits of...slaughterhouses but were not corrected in a timely manner. In fact, almost one third of the deficiencies noted were detected again during the following year's audit. Such deficiencies include unsanitary food contact surfaces, rusty equipment, and the transportation of meat in non-refrigerated vehicles...."

"One third of the inspection reports that we reviewed for goats' milk dairy farms gave these farms a conditional rating because of non-compliance with minimum standards. Examples of non-compliance included unclean milking equipment and storage tanks. Furthermore, 90% of the goats' milk samples tested by the laboratory did not meet the legislated bacterial standard, yet no follow-up action was taken by the ministry."

Third point: "In 2000, the ministry tested almost 800 fruit and vegetable samples and found 28 cases where chemicals exceeded acceptable limits by as much as 80 times the limit. As of March 2001, the ministry had yet to formally notify growers and retailers of the test results for these samples collected in the summer of 2000. In addition, we were informed that due to staff reductions and reorganization, ministry staff no longer investigate the source of concerns to help producers resolve identified problems."

The list goes on. Trust you? On this bill, forget it. With this evidence already, are you crazy? Get some standards in this legislation and then maybe we'll be able to support you.

The Acting Speaker: The Chair recognizes the member for Haldimand-Norfolk-Brant.

Mr Toby Barrett (Haldimand-Norfolk-Brant): Thank you, Speaker. The member from—

Interjections.

The Acting Speaker: Order. There is nothing in our rules that allows anybody to talk back and forth. I will make sure that the member for Haldimand-Norfolk-Brant has sufficient time.

2210

Mr Barrett: Thank you, Speaker. The member for Simcoe North concluded with, really, a plea: let's pass this bill as soon as possible. At the beginning of his presentation, he pointed out his concern that the opposition is blocking this legislation. I know that the Liberal member for Stormont-Dundas-Charlottenburgh has said that the Liberals—

Interjection.

The Acting Speaker: The member for Niagara Centre will please take his seat. Order. I would like to remind you that heckling is not in order, particularly when you're not in your own seat.

I will make sure that the member for Haldimand-Norfolk-Brant has his proper time.

Mr Barrett: Thank you, Speaker. I do share the concern of the member for Simcoe North. I know that at least one Liberal member opposite has said that the Liberals will not support this bill, the Nutrient Management Act, because it will not protect groundwater. In spite of what the member for Simcoe North explained to us—he made reference to Operation Clean Water and ran through a plethora of provisions and rules and regulations contained within Bill 81 that will protect groundwater. I disagree with the positions opposite. This bill will protect groundwater. There are key amendments in the legislation itself. We need not wait for the regulations to understand that this legislation will protect groundwater.

In section 5, it calls for studies to determine soil types. This is very important down in my area of Norfolk county. We are in a very unique area, the Norfolk sand plain. As you know, water and nutrients, as with gravel, leach through sand. It's very important that this legislation points the finger at soil types. Section 5 also makes it very clear that studies may be required with respect to the water under the land: the depth of the water, discharge rates, the volume of the water, and the risk of contamination. These are things that nutrient management plans don't tell us, and minimum distance separation guidelines don't tell us things like this. Right now, we have so many rules and regulations at the municipal level, it does not give us objective, neutral, scientific evidence of what's going on in the water underneath some of these operations to make valuable decisions.

The Acting Speaker: Comments and questions?

Mr Cleary: I'd like to make a few comments on what the member for Simcoe North said earlier. I wasn't going to talk about my riding, but he talked a little bit about his. I've been at some parties lately where they had a Taste of Dundas, everything grown in Dundas and Stormont. It's very important to the community to work with them, and we're very proud of what we produce here in Ontario. I know we've got to have a good environmental plan.

I was also on a committee, the grass waterways, with the conservation authority, on the Ontario Drainage Tribunal and agriculture committees and county councils, so I've been around and I know how important it is to protect the groundwater in agricultural areas. Especially in my part of Ontario, where we have aquifers that run by farm operations and supply towns and villages downstream, I know we've got to protect that. That's very important.

All parties should work together, and I think the government should look at some of the amendments the opposition has put forward to try to make this a bill that will be suitable to all of Ontario.

I know why they don't want to trust the government on the regulations. As was said earlier this evening,

"Trust us. We'll do it well." We've been told that, to trust the government. We were told in 1995, "It's not my plan to close hospitals," and what happened? So how can you do that? "No cuts to agriculture" was another thing we talked about at that time. "No cuts to the Solicitor General's office," but they got rid of a bunch of police officers and that. So how can you trust them?

We've got to work together. Hopefully, they'll take the amendments and it will be a better bill for everyone.

The Acting Speaker: The member for Simcoe North has two minutes to respond.

Mr Dunlop: I want to thank all the members who responded tonight: from Thunder Bay-Atikokan, from Nickel Belt, from Haldimand-Norfolk-Brant, and Stormont-Dundas-Charlottenburgh.

I don't think there's anybody in this room who doesn't want a perfect environment, a clean environment. I can't speak for the urban members, but for those of us who come from rural Ontario, the environment and clean water are second to none. I've been so impressed with OMAFRA and some of the programs they've set up, along with the Minister of the Environment, just in my own area that have helped to provide clean water and better water for our citizens. I can think of just a couple of programs I wanted to mention quickly.

One was the Healthy Futures program. I don't know how many of your municipalities or organizations have applied for that, but it has worked very well in our area. I'm currently trying to get some municipalities to work with the Healthy Futures program and do an abandoned well program. As you know, there are all kinds of old dug wells and maybe some poorly drilled bored wells across our province. This program will allow the municipalities to work with the homeowners to properly abandon these wells so we don't have surface runoff water getting into the aquifers.

I was with Minister Coburn when he provided a nice grant, a couple of hundred thousand dollars, I believe, to the dead stock operators, because they were finding that people were burying—some of the farmers actually had to bury the dead stock at a level where there was a high water table, which affected the water table as well.

Sorry, I'm out of time.

The Acting Speaker: Further debate?

Mr James J. Bradley (St Catharines): I welcome the opportunity, at long last, to be able to address the provisions of Bill 81, the Nutrient Management Act, because I've heard a lot about this bill and I know there was a genesis somewhere immediately after the events of Walkerton, which were most unfortunate for the people of Walkerton, including both those who resided in the town areas and the rural areas, a shock for all the people who reside in that area and all the people of Ontario.

I am surprised that at this late date we see this bill reappearing, or at least appearing, on the order paper. I am one, as is the House leader of the Liberal Party, who is prepared to come back next week and debate legislation as well. We have tomorrow, we have Thursday. I think most reasonable people would expect the House

would sit next week, since most of the people I represent will be working probably up to Christmas Eve before they will be enjoying any kind of hiatus from their place of work. It seems to me that we have the opportunity to be here as well.

Interjection.

Mr Bradley: My friend the Minister of Economic Development and Trade talks about mythology and work as it relates to this place, yet I see he is assiduous in his attendance in this Legislature to at least, if not participate in the debates, listen carefully to the succinct and relevant arguments that are advanced on each piece of legislation. I commend him for his attention and his interest.

The basic problem with this bill, and it is true of some bills, is that it leaves so much to the regulatory framework. When you're a member of the Legislature, outside of the cabinet particularly and probably even more so in the opposition, you tend to want to see as much as possible contained within the legislation on which you are voting. Every time the government talks about a framework or a shell for legislative action, the opposition, and I think probably some government backbenchers, become suspicious that the real meat of the bill will be found in the regulatory framework. The problem with the regulatory procedure is that it is behind closed doors and all members of the Legislature do not have access to it.

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The minister says he will consult further on the regulations. I have no reason to believe that he won't consult. He's a person I believe, if he says he's going to consult, is going to consult. I worry about the extent of that consultation. I worry about the fact that ultimately it will be the cabinet, and not this Legislature, that will be dotting the i's and crossing the t's and looking at the details of the rules and regulations which will govern nutrient management in this province.

There has been some valuable input to this legislation from a variety of groups and individuals. I think that has been helpful in at least advancing the legislation to this point in time. Members of the farming community have, at every opportunity that has been presented to them, made known their views. Environmental groups, people from municipalities, people with simply a general interest in water safety and in the spreading of nutrients, as they're referred to, on lands in this province and the managing of the nutrients that are there as a result of agricultural and other practices, all of these people have offered some suggestions. I think their suggestions and their input have been of great value.

I go back to the fact that this bill is essentially one which permits the government to pass a number of regulations over which we in this House will have no control. My friend from London South, as I call it—I hope I'm right—is an individual who has openly expressed his desire to see all members of the Legislature, those outside the cabinet in particular, have more input into the process. I commend him for making that known on a public basis. In fact, I invite him to join the race for

the leadership of the Conservative Party of Ontario, to advance that particular cause. He would know why those outside of the cabinet feel that they don't have the necessary input in the final details of legislation and we have to trust the so-called brain trust of the government.

Even when a minister is advocating on behalf of a particular jurisdiction—the Minister of the Environment, for instance, on behalf of the environment; the Minister of Agriculture, Food and Rural Affairs in that category—ultimately the policies and priorities board of cabinet, the Management Board of Cabinet and cabinet as a whole make the final decision, with considerable input from the unelected whiz kids, as I used to call them, from the Premier's office. The Minister of Health, who is here this evening, used to be a whiz kid, and it is alleged sometimes that he had more power then.

Hon Tony Clement (Minister of Health and Long-Term Care): A whiz adult.

Mr Bradley: He's a whiz adult now, he tells me. It is alleged that he had more power in those days than he actually has today. I don't know if that's true, but that allegation is out there and should be investigated someday. But we'll leave that to another day, because he is confined to the Legislature this evening, when some of his colleagues running for the leadership are out and about the province drumming up support for their leadership. Here he is, confined to the House, as was the Minister of Finance earlier, who barracked constantly across the House and seems to be in an ill mood. Obviously, he's not getting as much support as the Minister of Health in his campaign.

But I digress. The Speaker has been most tolerant of my digression. I appreciate that and will not tempt him further to bring me to order.

One of the great concerns that I have about this legislation is that Bill 81 will allow untreated human waste to be dumped on fields for the next five years. We already have waste which is taken from sewage treatment plants, that waste having been appropriately treated by municipalities, and some of that is spread, in one way or another, on fields in the province.

I must say, even that has its problems, but at least one can say that's treated waste. What we're talking about here is untreated waste from the Johnny-on-the-spot, I suppose—that may even be treated—or what they used to refer to in the old days as outhouses, probably, but that which has not gone through a sewage treatment procedure. To allow that for another five years is very worrisome, particularly because of some of the problems we've seen in places such as Walkerton and indeed other communities that have identified problems that, fortunately, have not had fatal consequences but have seen people become ill and have identified contaminants in the water and in the soil, but particularly getting into the waterways.

I was interested in the 2000-01 report of the Environmental Commissioner of Ontario called Having Regard. This is a report from Gord Miller, and members will know why I feel this is particularly compelling,

keeping in mind that Mr Miller was the president of the Progressive Conservative association in North Bay, that is, in the Nipissing riding, and was twice a candidate for the Progressive Conservative Party—well, actually, it was for the Conservative Party because it's no longer a progressive Conservative Party. So when even he says there are problems existing, I think it's time the government listened, when one of their own has said this.

Let me quote from his report. I know the member from Oak Ridges would have read this cover to cover.

Mr Klees: Twice.

Mr Bradley: Twice, as he indicates. But let me share with him, to refresh his memory, because the night gets late and his memory may blur a bit, what the Environmental Commissioner had to say.

Interjections.

The Acting Speaker: Order. There's nothing in our rules that allows talking back and forth. I thought I should tell you that we would rather have you in here with us—it's to be preferred, I think—but there is an alternative.

Mr Bradley: Let me quote from pages 54 and 55, the title being "Problems with Ontario's Existing Rules for Sewage and Septage Spreading," just to show you that there is a problem out there with sewage and septage spreading. "No nutrient management plans required," he says. Now, part of this is going to be addressed through the legislation, fortunately, but not all of it.

"In 1995, OMAFRA's Sewage Biosolids Survey Team recommended that nutrient management plans be established for all approved sewage sludge utilization sites, but the current rules still allow sewage sludges and septage to be spread onto farmlands without requiring accurate, current information about nutrient loads being applied, soil or weather conditions, or actual crop nutrient needs over a given season. This greatly increases the risks of nutrient runoff to surface or groundwater. As well, under the current regulatory structure, the same piece of land could receive both manure and sludges without regard for total nutrient loads or real crop needs."

He goes on to say, "No Protection for Groundwater Recharge Areas or Other Environmentally Sensitive Areas"—that's the title. "The current rules allow sewage sludges and septage to be spread onto farmlands without recognizing that some lands (such as sandy recharge areas) are more prone to contamination than others. Protection of such sensitive areas would require accurate, current information about local groundwater conditions, such as the depth of aquifers, the quality of groundwater, the number of nearby wells that rely on these aquifers, or the prevailing direction of groundwater movement."

He goes on to discuss the fact that no public notice of spreading activities is needed via the Environmental Bill of Rights. "MOE is not required to post notice of proposed approvals for sludge or septage spreading sites on the environmental registry. This means that members of the public get no advance notice of spreading, no opportunity to comment, and no right to request appeals of any approvals. Neighbours who may want to do baseline tests

of their well water before the spreading starts get no advance warning. Neither do people with special health concerns."

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What else does he say? He says, "Without public information about quantities or locations of sludge or septage spreading, it is not possible to estimate the total sludge loadings to any given watershed in any given year. In 1995, OMAFRA's sewage biosolids survey team recommended the establishment of a more consistent and complete record-keeping system to allow future monitoring and verification of utilization sites...."

"To prevent environmental problems, operators must understand and make decisions about a host of biological, agricultural and chemical parameters whenever they apply sludges or septage. Ontario farmers who accept municipal sewage sludges on to their lands have noted the need for better education of equipment operators, and better information-sharing with farmers. Certification is already required for pesticide spraying on farmlands, and training may soon be required for manure spreading. An extensive 200-page training manual was produced by MOE and OMAFRA in 1994 for sludge spreading, but it is not clear whether this document was widely distributed or recommended to operators...."

"A very significant proportion of Ontario farmlands have tile drains, which may lie just below the plowing depth and carry away excess rainwater to nearby streams and rivers. Ontario research has shown that sludges applied to these lands can enter tile drains within minutes of application, and are directly polluting waterways...."

"Current Ontario rules for both sewage sludge and septage spreading do include some cautions regarding land spreading on frozen soil, but the practice is clearly permitted in some circumstances. Since sludges and septage are produced all through the year, it is very likely that significant volumes of these waste materials are being spread when risks of runoff are high."

He talks about some rules in other jurisdictions that help to address this. I would have hoped that in the consultation over this piece of legislation, they would have looked at places—it mentions Texas here, the state of Maine and a number of places where there are rules and regulations. This is the Environmental Commissioner, Gordon Miller, in his latest report called *Having Regard*, who identifies these problems.

You can see, then, why we are concerned. We are concerned when we see what happened at Walkerton and don't want it to be repeated. I've talked to farmers in this province who themselves want to ensure—because they live next door to many operations that have the potential for contamination—that their neighbours and others are undertaking such environmental practices as would militate in favour of the protection of groundwater sources. That's what some people forget, particularly in the urban areas, that farmers themselves are often—almost always, in fact—the victims of this contamination when it takes place.

It is clear that there is going to have to be assistance to our farmers. They cannot be asked to carry the load alone

in terms of improving environmental practices and protecting our waterways. That is where an infusion of funds from the provincial government would be extremely helpful.

They're not going to have that funding if the provincial Treasurer, the Minister of Finance, insists that he's going to proceed with his tax cuts. As we know, with the \$2.2-billion corporate tax cuts, the voucher for private education—that's about \$500 million—and an additional \$950 million to \$975 million in personal income tax cuts, it means the provincial Treasurer is going to be looking for additional revenues of at least \$3.5 billion to make up for the revenue he's losing through these unnecessary, unwise and ill-timed tax cuts. By the way, I should note here, as I did during an earlier bill, that Jeb Bush, Governor of the state of Florida, has said, "We can't proceed with our tax cuts. We know we promised them, but we have more important obligations to meet." I suggest some of those obligations are to the farmers of this province and to environmental protection in this province.

It's much better, as the Minister of Labour says, to forget about those additional tax cuts, which could put us into a deficit position, and instead make sure we do not go into a deficit position, indeed that we invest in areas which are in the public interest. I would suggest that assisting farmers in meeting the obligations under this legislation is certainly one area that is worthwhile for public investment. A second would be in all kinds of environmental protection, particularly of our waterways, because that's what we're talking to in this instance.

You're going to need more staff to be able to enforce this bill; make no mistake about it. I know they like to go to Management Board and they have faces that hit the floor when you get there. I sat on Management Board, and you have to have a grumpy face and a grumpy disposition to in fact sit on Management Board. They used to have it good and early. They would have it good and early, when I was good and cranky anyway, and they would come before Management Board and have to justify their expenditures. It's going to be tougher. We had the Chair of Management Board say just a couple of weeks ago, "We're going to have to make some cuts." Here we are with all these tax cuts, giving all this money away in tax breaks, and he says, "But we're going to have to cut government investments in the public good." I think that's most unfortunate.

Look, there are some good things in this legislation. I've said on many occasions with bills that you'll find both those things which are supportable and those that are not supportable. The government members will always get up and tell you the virtues of the legislation, and that's to be expected. We in opposition may point to some of those virtues, but also would feel an obligation to point out the weaknesses contained within this legislation.

There are just too many questions that surround it, and those questions again are because there's a great emphasis on regulations as opposed to legislation. If we were to have it spelled out—the member for Stormont-

Dundas-Charlottenburgh stood before the House and he read out a number of areas where there were some concerns to be expressed. I won't be repetitive of those, but they were valid questions and they're not answered in the contents of this particular bill. They in fact are left to the regulatory framework which will be put in place.

It's a start, and there are some good elements to this. It's unfortunate the government did not accept the amendments that the opposition advanced in goodwill, to try to improve the legislation. My gosh, had you accepted the amendments, then maybe I'd be standing this evening advocating support of the legislation, but it falls short. The minister from Burlington would agree with me, it falls far short of what is necessary to be good, acceptable and supportable legislation.

The Acting Speaker: Comments and questions?

Mr Kormos: In just eight, nine, 10 minutes, time, Howard Hampton, our leader, is going to be speaking to Bill 81.

I want you to know that New Democrats worked hard on this bill. Marilyn Churley worked hard in committee, worked hard developing amendments and tried to work with the government to help make this the bill it ought to be, the bill it could have been, the bill which, yes, as was just cited by Mr Bradley, could have been one which New Democrats were able to stand up here and enthusiastically support, and indeed perhaps even accommodate.

One of the things the New Democratic Party wanted to do was to make sure the bill covered golf courses. The question put was to try to get the committee to understand how much nutrient material is spread on golf courses that may well find its unwelcome way to the water table. We felt very strongly that that should be a consideration. Surely farms aren't the only lands where the spreading of nutrients presents a concern. Golf courses are one of those things. We understand as well the affinity and intimacy that some of the senior members of this government feel and have with golf courses—

Interjection.

The Acting Speaker: The member for Trinity-Spadina, come to order.

Mr Kormos: —and their developers.

Interjections.

The Acting Speaker: The minister from Nepean-Carleton, come to order.

Mr Kormos: We understand that the Conservative government and its leadership may have been somewhat protective of golf courses, protective of them in terms of the standards that will be put—

Interjection.

The Acting Speaker: The member for Trinity-Spadina, come to order.

Mr Kormos: It's difficult for me, Speaker, when people are interrupting.

It's difficult for the government to not want to protect golf courses. New Democrats worked hard—

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The Acting Speaker: The member for Niagara Centre has a point about his interruptions. I might just comment

that most of the interruptions came from his own caucus. There have been—

Interjections.

The Acting Speaker: Order. We have a visitor in the gallery, Ben Schlegel. Ben Schlegel attends Rockway High School, a Mennonite high school in Kitchener, a school of considerable reputation and so on.

Applause.

The Acting Speaker: Thank you for that applause, but my point is I don't want him going back to school tomorrow commenting on the deportment of the members of this Legislature. You have given me the responsibility of keeping order in this House. I will demonstrate that responsibility to the best of my ability.

Comments and questions?

Mr Kormos: Speaker, may I? I want to apologize for any disorder that might—

The Acting Speaker: When there are two of us standing, one of us is out of order and it's not me. The member for Niagara Centre is out of order.

Comments and questions.

Mr Patten: It's always a pleasure to comment on the remarks of my colleague from St Catharines. He is a seasoned communicator, and I'd like to underline some of the major points he made related to the critique of the bill.

His first one was of course once you pass the framework or the shell of the bill, then we don't know what the regulations are. They can be anything. We don't vote on them and we may not even see them. He outlined that this is a major problem for legislators, responsible legislators, especially for members of the opposition. It is our job, our duty to try to point out what we believe to be the weaknesses in any piece of legislation, and that was one.

Then he quoted Gordon Miller, the Environmental Commissioner, on his analysis of the whole area of nutrients on our land and on our farm fields. He had a recommendation, and I don't see all of this in the legislation, especially in terms of assuring that there should be no untreated nutrients on the land. This is what he said, essentially: that it should all be treated. Then we read in the legislation that we're talking about perhaps up to five years. I would hate to see the day when farmers felt guilty about having contributed to either poor water or polluted water or indeed the other side of the coin, which is food that somehow may be contaminated because it wasn't researched, because we didn't hesitate on the side of suggestions about possible threats to good health by virtue of our food.

Ms Martel: I want to reinforce an important point that was made by the member from St Catharines, and that is frankly that the substantive contents of this bill, the meat of the bill so to speak, aren't before us. They're going to be developed behind closed doors by regulation by cabinet and they'll never come back to this forum to be debated among all members. Frankly, we don't want to accept that process, and I don't understand why we are being asked to or being put in a position to accept that.

The government members, at great length here this evening, talked about how much consultation the Min-

ister of Agriculture and Food had had with respect to this bill. I heard that mentioned by a number of the members. Yet he comes forward with a bill that had substantially no meat to it. The guts to it are missing and we're asked to trust the government that it's going to do something behind closed doors that's going to make this better.

If the government had all this consultation and talked to so many people, why couldn't they come forward with a bill that actually told us what they were going to do, that actually allowed us to have an intelligent debate about what they were proposing to do?

Instead, we're being asked to just pass this and trust the government, and it's all going to be OK and they're going to look after us. I refer to the auditor's comments to make the point. I'm sorry, but I don't trust this minister and his ministry. He's had far too many cuts in his ministry to make sure that the standards that are actually in some pieces of legislation are implemented. Now he's asking us to accept a piece of legislation when those standards don't even appear in the bill. We're not going to be a party to that.

That's why my colleague Marilyn Churley moved a number of amendments during the committee phase, to try and beef up this bill, to try and make it have some sense, to try and make it have some substance. The government voted down all those amendments. Do you wonder why we're in the position we are tonight, dealing with this bill?

Mr Rick Bartolucci (Sudbury): I'd like to commend my fellow member from St Catharines for the excellence of his presentation. It bothers me that the government isn't trying to respond to the facts he's presented to the farmers who are in the audience today, but also to the people of Ontario. Clearly there are major flaws with this bill that have been outlined by the member from St Catharines. Yet the government chooses to sit back and not respond to the facts the member from St Catharines has put forward as to the weaknesses, as to the reasons we can't support the bill.

I suggest to you that our cash-strapped farmers cannot afford this bill without financial resources, and those must come from the government of the day. After all the Mike Harris cuts to agriculture, I know it's a concern to the farmers of Ontario that the government wants to implement Bill 81 without understanding the dire need for financial resources to ensure that what the government is trying to carry out will happen.

That the government chooses not to stand and debate the facts that have been presented by the member for St Catharines leads me to believe, leads the farmers in the audience to believe, leads the people of Ontario to believe, that what the member for St Catharines is saying is based on solid facts, on solid evidence. That is the reason why they're concerned about this bill and why we, as Liberals, are very concerned about this bill.

The Acting Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: I want to thank all my colleagues for their input, for their additional comments and for their

comments on my comments. Essentially what we in this House are being asked to do, as people in the rural community may say, is to buy a pig in a poke. We're being asked to support a piece of legislation that is very short on detail and information and specific provisions, and very long on faith in what the government might do.

We have seen enough of this government, of this cabinet, of the Premier's office, to know that even if the minister in all good faith himself wanted to implement something that was reasonable to everybody in the House—and the Minister of the Environment—a veto could be found within the confines of cabinet. That's a great worry we have. That's why we'd like to see it specified in legislation.

I'm also worried about the privatization I'm seeing happening. Just as we see privatization of the inspection of meat in this province, which caused the Provincial Auditor to comment and which unfortunately diminishes faith in our food products, and should not because we want to ensure that everybody has the most faith in food products in Ontario—you could do that by having the necessary staff—I see it is the government's intention to privatize another important responsibility for public safety, and that is—I know they're not going to be there initially but the bill allows for a new agency or corporation to administer all aspects of the bill—training, granting permits, keeping records, setting fees, with the exception of the enforcement, and the enforcement of course must be done by a neutral, expert Ministry of the Environment with input and support from the Ministry of Agriculture and Food.

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The Acting Speaker: I want to apologize to young Mr Schlegel for getting the name of his school incorrect. I apologize.

Further debate?

Applause.

Mr Howard Hampton (Kenora-Rainy River): Speaker, it must be getting late.

Mr Rosario Marchese (Trinity-Spadina): We love you too.

The Acting Speaker: Member from Trinity-Spadina, I'll not warn you again.

Mr Hampton: In fact, in the history of this legislation it is very late, because I note that this bill was introduced on June 13 and was not brought back for second reading debate until December 4, and now here we are on December 11 and the government has introduced it again for second reading debate. I have to ask, where was the government's willingness to introduce this legislation over the last 12 weeks?

Interjection.

The Acting Speaker: Minister of Education, come to order.

Mr Hampton: Where was it on September 24 when the Legislature resumed, or October 1, or the 9th or the 15th? Why has this important legislation been left to the very last minute?

I want to underline why it's important. On the one hand, in terms of the agricultural community, it is very difficult today to make new investments in farm operations, to expand investments in farm operations or to change investments in farm operations when you are so uncertain as to what is happening out there and what the eventual regime of rules is going to be.

On the other hand, we have an environmental problem. This province needs to act to protect its water, and it especially needs to put in place a system that regulates and controls the application of nutrients to the soil and the effect that has on our watercourses. So from the environmental perspective and from the farm investment perspective, it's important legislation. Why did it sit here for 12 weeks without the government introducing it for the thoughtful debate it deserves? That's the question the government has to answer.

As it stands, this legislation is far from what it needs to be. I want to comment on all the areas where I think it's lacking, because they are worthy not only of debate here but of a wider public debate. So many of the vital elements of this bill, the most important being nutrient management strategies and nutrient management plans, are not in the bill. As has been noted, they will be developed at some future date through regulation. So the nutrient management plans and the nutrient management strategies that are the heart and soul of what needs to happen are really just phantoms. You can't have a thoughtful debate about them here and now, because they simply aren't in the bill.

We're left with a situation where we don't know what the nutrient plans will be, where we don't know what the nutrient strategies will look like, where we don't know what they'll do. The government is saying, "Trust us," on the heart, the soul, the very substance of the legislation. If the heart and the soul of this, both from the farm perspective and from the environmental perspective, is what these plans are going to look like, what these strategies are going to look like, how they are going to impact on farm operations and are going to impact in terms of watercourses, yet you can't have a meaningful public debate over them here, then I think that right off the bat there is a big problem, because that's what we're here to do. We're here to analyze, to suggest improvements, to suggest prescriptions, and yet the very heart of what we should be here about, the government did not put in the bill.

There's another problem with the "trust us" part: this is the government that brought the people of Ontario Walkerton. And now, after Walkerton, it is saying, "Trust us." This is the government that received a scathing criticism from the Provincial Auditor because of your failure in terms of food safety and food inspection. Now it is saying, after that, "Trust us." That's a lot for people to swallow.

There are some other problems that have been brought to the fore and they deserve mention too. Many in the agricultural community have raised concerns that this bill appears to divide its administrative and enforcement

responsibilities between the Ministry of Agriculture and the Ministry of the Environment. New Democrats are very supportive of the Ministry of the Environment having a proper role here, but I have to say to all across Ontario, don't worry. If you're worried about over-enforcement, if you're worried about strict enforcement, you don't have to worry.

As long as this government is around, the Ministry of the Environment won't be able to do much of anything, let alone take on new responsibilities to monitor or enforce the rules around the application of nutrients to our lands. The reality is, the Ministry of the Environment has lost hundreds of millions of dollars from its budget. It has lost dozens of scientific experts. It has lost all kinds of inspectors and enforcement officers. The Ministry of the Environment doesn't have the capacity to adequately enforce the legislation that it has now, never mind deal with new legislation which is potentially going to be quite complex.

That's a real problem, this issue of enforcement and monitoring. It's one thing to pass legislation, but the legislation will be completely ineffective, to the detriment of the environment and to the detriment of farm communities, if there is not a strategy for resources, for enforcement and for inspection. You put the farm community right back in the spot that they're essentially in now. Yes, you've passed legislation, but the enforcement is so weak—

Interjections.

The Acting Speaker: Order. There are two conversations: one up here and one here. I don't want to hear them.

Mr Hampton: If the enforcement is so weak, then all you've really done is put a superficial mask over the problem and you'll continue to have that kind of uncertainty out there, which is neither good for the farm community nor for the protection of the environment.

I say to the government that at some point very soon you've got to come forward with a strategy for the resourcing and for the enforcement of the legislation. If you don't do that, then I think you've created all kinds of horrendous problems. Let me say that putting the issue of enforcement on to farmers through some sort of fee-for-service or administrative payment plan is not going to work either. This is the responsibility of government. It should neither be privatized nor thrown on to farmers. This is a responsibility of government. One thing your government has to start recognizing is the role and the responsibility of government in our society. Quit trying to privatize that or shirk it off on to someone else.

As some of my colleagues have mentioned, we put forward amendments in committee. We submitted an amendment which would have established a very clearly defined purpose for this legislation: namely, the protection of the natural ecosystem. We put forward the arguments that we should aim to protect the health of the natural ecosystem by maintaining the interaction of dynamic complex plant, animal and micro-organism communities and all of those things that are so important to

not only maintaining a healthy farm environment but a healthy natural environment all around. Unfortunately, the government voted against that amendment. I might say also that the Liberals voted against that amendment.

We also sought to incorporate into Bill 81 something that environmental experts call the "precautionary principle." You could call it the "common sense principle." It goes like this: in the absence of scientific certainty—

Interjections.

The Acting Speaker: Order. I asked that this conversation be kept down. I will promise the member for Kenora-Rainy River that I'll only interrupt him once more. Is there any problem with what I'm saying? I will only interrupt him once more.

The Chair recognizes the member for Kenora-Rainy River.

2300

Mr Hampton: The absence of scientific certainty should not be an excuse to justify non-action when every other indicator, including common sense, tells us there is a threat to the natural environment. I simply say, isn't that a lesson from Walkerton? Isn't that a lesson we should all have learned from Walkerton?

A couple of other issues. We wanted to amend the bill to make sure it covered golf courses. We don't see why this legislation should apply only to farm operations or other municipal operations when we know that in many parts of the Ontario landscape the application of nutrients is perhaps most intensive and most frequent on golf courses.

Interjections.

The Acting Speaker: I'm naming the member for Ottawa Centre, Richard Patten.

Mr Patten was escorted from the chamber.

The Acting Speaker: I hope I don't have to interrupt the member for Kenora-Rainy River again.

Mr Hampton: If we're actually concerned about the spreading of nutrients on land and about the protection of the integrity of surface water, I cannot for the life of me understand why the government would exempt golf courses when government members know, and certainly the Minister of Agriculture ought to know, that you in fact have the most intensive and most frequent application of nutrients on golf courses.

Where you have water pollution problems or where you have those concerns, you may have all kinds of farms in compliance, but you may have four or five golf courses in a rural area that are creating the problem. It is absolutely irresponsible not to include golf courses within this kind of legislation if you really mean what you say: that you want to ensure that the application of nutrients is managed and is dealt with in such a way that it does not threaten the integrity of watercourses and surface water. For some reason, the government refused that amendment.

Under section 55 of this act there is significant room for the government to privatize operations, to privatize the establishment, the maintenance and the operation of a registry of nutrient management plans and strategies. It is

also about privatizing the role of reviewing these nutrient management plans and strategies. In effect, it is about privatizing the issuing, the amending, the suspending or revoking of certificates, licences and approvals, so privatizing the approvals. Let the private sector approve the nutrient management plan. Let the private sector approve the revoking of a nutrient management plan.

Isn't that the role of the Ministry of Agriculture or the role of the Ministry of the Environment, wherever you eventually decide that enforcement should lie? How do you get public accountability, how do you get responsibility to the public, when those very important roles have been turned over to a private sector operator? New Democrats believe that that section of the bill should be removed, that this responsibility should rest with the government. But it's not just New Democrats who hold that view; the federation of agriculture also holds that view. The federation of agriculture believes that this is a proper and responsible role for government. The government refused to listen to that amendment too.

The Ontario Farm Environmental Coalition, an organization which includes the Ontario Federation of Agriculture and 39 other provincial farm organizations in Ontario, also said this is a proper role for government. But no, this government says it's going to privatize.

Now, maybe the government thought it could get this passed before the Provincial Auditor brought in his scathing report of last week. Maybe the government had some inkling of what was going to be in the auditor's report, because they have in section 56 of this bill a tidy little clause the purpose of which is to protect the government against any liability when the privatized operation they set in motion screws up.

Section 56 says the crown, meaning the government, is not liable "for any act done in the execution or intended execution of a power or duty by a person appointed under" this act "who is not a crown employee." That really lays it out bare, that there is no accountability, that when the chickens come home to roost, when a problem arises from the privatization of a certain operation, this government is going to hold up its hands and say, "Don't look at us. We're not responsible. We're not accountable to the farmers. We're not accountable to the public. Don't look at us."

What are you doing here, then? If you don't want to take on the role and responsibility and the obligations of government, what are you doing here? What you're setting up here is that if a person who is employed by a private company approves a nutrient management plan that is unsound or reckless or dangerous and then somebody says, "Who is going to be responsible for this?" you're going to be able to stand up and say, "Not us. We're not responsible." You're not meeting your obligations to farmers, you're not meeting your obligations to the environment, and you're not meeting your obligations to the public of Ontario. That's the philosophy of section 55 and section 56 of this bill, and that's why they should come out of it. If you are truly interested in resolving the issues and addressing the problems

around nutrient management, these sections of the bill must come out.

What does this mean for farmers? I think we all know what it means. It means that farmers are going to be hit with all kinds of user fees, that in effect you will impose taxes. Oh, you won't call it taxes, you'll call it something else, but the reality is that farmers will pay a tax to private operations to oversee this part of the bill. That's wrong.

This is a public problem. It is, as I tried to indicate already, much more widespread than just farmers. Is that why you don't want to include golf courses, because some of your golf buddies won't want to pay the fees to ensure that their nutrient management plans are appropriate, that their nutrient management strategies are being dealt with? Is that the reason for excluding golf courses from this: you don't want them to have to pay these user fees?

I say to you, this is the role and the responsibility of government. It should not be privatized, and these sections of the bill should come out.

Given the amount of time that it took the government to, first of all, put this legislation together and, second of all, now bring it for second reading, we're very concerned about how long it's going to take you to draft the regulations. So we proposed an amendment that would require you to bring forward the regulations within six months. I still think that is sound. I think it is sound for the government, and I think it is sound for the farm community, that they know they're not going to be left waiting around for another six or seven months, as you did with second reading of this bill, and nothing's going to happen.

2310

Members of the farm community would like to see the regulations in place, I am told, by April or May. I think that should be written right into the legislation in the form of an amendment, that the regulations must be brought forward by May 2002. That provides some assurance to environmentalists who are concerned about these issues. It provides some assurance to farmers that this is in fact going to happen and it's not going to sit on an order paper somewhere or on someone's desk and not be dealt with.

Now, I've only got a few seconds left. There are other issues I would like to have dealt with, but I think I've covered the major problems, the major issues. I would say to the government, you've got to begin a public process around the regulations right away, because this line of "trust us" has a very short lifespan for this particular government. I think you've got to do that right away and I think you've got to bring that forward right away, otherwise this—

The Acting Speaker: Comments and questions?

Mr Steve Gilchrist (Scarborough East): I genuinely appreciate the comments made by the leader of the third party. I think they were very sound. I appreciate very much something we haven't seen all too often in the last few weeks: someone actually staying on topic. I gen-

uinely appreciate your interjections. I think, with the greatest respect, there are a number of issues you raised that will in the fullness of time probably be addressed in a way that you'll find satisfactory, particularly the crafting of the regulations. I'm sure the minister would seek any reasonable input you care to make or any stakeholders you wish to direct to the minister. We would appreciate their input as well.

However, I'm not swayed by the arguments made opposite and will continue to support the bill.

Mr David Ramsay (Timiskaming-Cochrane): I'm pleased to stand in my place this evening to contribute to the debate, because I think the members opposite know that we are opposed to this bill, and the reason is that we don't think the government really has taken the situation very seriously after the tragedy in Walkerton. This bill doesn't come close to effectively protecting our groundwater resources in the province.

Far too much in this legislation, and much legislation that this government has passed over the last six and a half years, has relied upon regulations rather than legislative clauses in the bill. As legislators, we don't get an opportunity to see that. As you know, this happens at the executive council level, so all members, whether they're government backbenchers or opposition backbenchers, aren't able to participate in the forming of the regulations that are now becoming more and more the structure of pieces of legislation. They're basically the workings, the everyday guides and workings of legislation. It's how the legislation literally works in the field. Regulations are very important, and much of this bill should not be left to regulation. It should be in the bill for all of us to see, for all of us to debate, for the people that I guess were with us to participate in, especially at the committee hearing level where we can discuss the full content of the bill. We're not having that opportunity any more.

Much of legislation is being passed behind closed doors in the backroom of the Harris cabinet. With an issue as serious as Walkerton and the protection of our groundwater, and with the results of the Walkerton inquiry coming down early in the new year, I think we need to stop right now and catch our breath on this and see what recommendations we get from the commissioner in regard to the Walkerton inquiry and do a proper job in this bill to ensure that we preserve the groundwater resources for the people of Ontario.

Mr Kormos: In particular I want to reinforce the observations made by the leader of the NDP with respect to the strong element of privatization inherent in this bill, an element of privatization that New Democrats resisted at the committee, and an element, a significant element, of privatization, the pursuit of privatization in the supervision of nutrient management, that we continue to resist and that indeed forms one of the significant cornerstones of the foundation for our opposition to the bill.

Let's understand what the Ontario Farm Environmental Coalition had to say. Among their membership is the Ontario Federation of Agriculture. The Ontario Farm Environmental Coalition recommends that none of the

powers associated with the proposed Nutrient Management Act be delegated to anyone outside of the government of Ontario. That abandonment, that abdication of responsibility by this government, by its Ministry of Agriculture, Food and Rural Affairs, by its Ministry of the Environment, and the transfer of the supervision of that to the private, for-profit sector, (1) is going to lead to remarkable and new and significant costs to farmers by way of, yes, user fees, there's no two ways about it; (2) the system is going to lack the integrity that historically has been provided through the Ministry of Agriculture and Food; and, finally, it's going to make the whole provincial community very skeptical about the effectiveness of this legislation in terms of either protecting the environment or in terms of providing farmers with the support and leadership they need in complying with nutrient maintenance programs.

That is a serious concern. It's a serious concern of farmers, it's a serious concern of the Ontario Federation of Agriculture, it's a serious concern of the Ontario Farm Environmental Coalition and it remains a serious concern of the New Democratic Party here at Queen's Park.

Mr Michael Gravelle (Thunder Bay-Superior North): I think the debate tonight has made it extremely clear that this is an important piece of legislation but one that we're very disappointed in. The leader for the third party has again, as have most members tonight, explained some of the real problems and some of the real flaws in the legislation. I think it's important that all the members of this House understand that, as I said, this is a piece of legislation that we think is extremely important, and therefore the legislation that has been brought before us is extremely disappointing. It is simply the shell of a bill.

The fact is, when we are dealing with the reality that the actual details of the legislation which we should all be most concerned about are not available for us to actually debate, and we have to wait until the regulatory process kicks in to have any assurance at all that indeed what will result from this will be a positive piece of legislation, that we're just not prepared to make that leap. I think that should be understood.

There were a number of amendments put forward by both parties on the opposition side that were rejected by the government. That was an honest effort being made by the parties after some consultation to turn this into a piece of legislation that would have some teeth. I think after a piece of legislation that's as vital as this is, that would be the least that we expect.

For them to expect us to simply stand here and support this on the basis that they say we've got to get this through the House before the Christmas recess, especially based on the history of this bill and the opportunities the government had months ago to bring the legislation forward, it fills us with a sense that this is a problem that even the government themselves recognize they have.

We have real concerns about the legislation. We think they're legitimate concerns. We think they're concerns the government should actually be understanding and responding to. For those reasons and many others, we're unable to support this legislation.

The Acting Speaker: The leader from Kenora-Rainy River has two minutes to respond.

Mr Hampton: I want to thank all members for their comments. I want to use the two minutes to emphasize once again—first, the issue of privatization and how I think the government is leaving itself open to creating yet once again a very big problem.

We are going to get a report from the commission of inquiry into exactly how the privatization of water inspection and the privatization of water labs contributed to the debacle that happened at Walkerton. We've had a report from the Provincial Auditor which recognizes what first the cuts and then the privatization of food safety and food inspection have meant for the quality of food that people may be eating in Ontario.

I hope the people of Ontario don't have to learn a painful lesson again on this. If this issue is an important issue, and we think it is and the Minister of Agriculture has said it is, then issues with respect to approvals and issues with respect to the revoking of approvals should not be handed over to a private sector operator. You certainly shouldn't have a clause in the bill which says, "If anything goes wrong, the government is not responsible." That, to me, is almost an admission of *mea culpa* in advance.

If you were really serious about this issue, if you believed both from a farm investment and a farm environment perspective that this needs to be addressed, and from a water quality perspective that this needs to be addressed, you would take those two sections out of the bill—end of story.

The Acting Speaker: Further debate?

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Mr Speaker, I move adjournment of the debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 30-minute bell.

The division bells rang from 2321 to 2351.

The Acting Speaker: Mr Lalonde has moved adjournment of the debate. All those in favour will please rise and remain standing until recognized by the Clerk.

Please take your seats.

All those opposed will please rise and remain standing until recognized by the Clerk.

Please take your seats.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 29; the nays are 3.

The Acting Speaker: I declare the motion carried.

STUDENT PROTECTION ACT, 2001

LOI DE 2001

SUR LA PROTECTION DES ÉLÈVES

Resuming the debate adjourned on November 27, 2001, on the motion for third reading of Bill 101, An Act

to protect students from sexual abuse and to otherwise provide for the protection of students / *Projet de loi 101, Loi visant à protéger les élèves contre les mauvais traitements d'ordre sexuel et à prévoir autrement leur protection.*

The Acting Speaker (Mr Bert Johnson): Further debate? The Chair recognizes the member for Sudbury.

Mr Rick Bartolucci (Sudbury): As we debate this bill, I would hope the record would clearly show that the bill that we're—

Interjections.

The Acting Speaker: Order. If you feel it necessary to talk or express yourselves, please either be recognized by the Chair and take your place or leave. The Chair recognizes the member for Sudbury.

Mr Bartolucci: Thank you very much, Speaker. As I was saying, as we debate Bill 101, it should be clearly understood by the people of Ontario that the government is calling this at five to 12. We will adjourn at 12 o'clock. There has been no notice, which is consistent with what this government has done over the course of the last six years when it comes to presenting serious bills, serious concerns and serious remedies for serious problems.

I'm happy to be able to stand up and begin the debate for the Liberals. Having spent several years in the classroom, I understand the importance of protecting children. There are so many ways that we might want to protect children in public education, and we should want to protect children who decide to attend private schools. But this legislation does not apply to those students who would be going to private schools. I find that a double standard. I find that a standard that should not be tolerated by those parents who choose to send their children to private schools.

It is so easy to throw stones. It is so easy to cast guilt on the teachers in the public education system as defined by the Harris government, which repeatedly over the course of the last six years has chosen to attack teachers, has chosen to attack the partners of education, whether they be teachers, trustees, parents or students. They've attacked them in many different ways. All the time, they've excluded those students and those teachers in private schools. I say that's wrong, and I suggest that a Minister of Education should be a Minister of Education for all students who are involved in the school system, whether it be private or public. The same safeguards should be afforded to those—

Interjections.

The Acting Speaker: Order. There are some conversations going on. I would just as soon that you have the privilege of remaining in the House, but there is an alternative, and I shouldn't have to remind you of what it is. The Chair recognizes the member for Sudbury.

Mr Bartolucci: Let's live one experience for this House. I think both sides of the House are very familiar with the DeLuca case, the case that I think triggered the member for Sault Ste Marie to bring forth some pretty sound legislation, which unfortunately this government didn't act on, as they've done so often, because the idea

wasn't theirs. The DeLuca case is a very sad case. It involved many, many students over a period of many, many years affecting many, many children, their families and the very good teachers who taught in schools where Mr DeLuca taught. I would suggest to you, Speaker, and I'd suggest to the Minister of Education that if that gentleman had been teaching in a private school, that abuse would continue because you and your legislation would exclude those students from being protected? You wonder why we have trouble with that type of legislation, you wonder why we have trouble with the rationale behind your many bills attacking the public education system?

Hon Janet Ecker (Minister of Education, Government House Leader): Protecting children from sexual predators.

Mr Bartolucci: The Minister of Education spouts out that she's trying to protect kids. Well, she isn't protecting those kids in private schools. This legislation does nothing for them.

It now being the hour of 12, I look forward to continuing this discussion as we move on with the debate. I hope it's a full debate and a complete debate, and I hope that at the end of it the people of Ontario realize that this government's legislation, like so many other pieces of government legislation when it comes to education, is certainly lacking the protection they think they're giving.

The Acting Speaker: It being after 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 2400.

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**Assemblée législative
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Deuxième session, 37^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
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Wednesday 12 December 2001

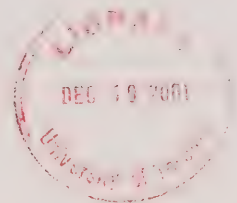
Mercredi 12 décembre 2001

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 12 décembre 2001

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

CRUELTY TO ANIMALS

Mr Mike Colle (Eglinton-Lawrence): Yesterday the SPCA had to rescue another 41 dogs from a puppy mill near Wingham, Ontario. Again the burden falls on the SPCA and all the volunteers who help with animal rescue. By tolerating and refusing to shut down over 400 puppy mills that operate in Ontario, this government allows this industry to profit at the expense of cash-strapped, overworked animal protection workers who can't keep up. By refusing to act and not passing strong legislation that would strengthen the powers of the SPCA, this government basically tolerates puppy mills.

This government should be held responsible for all the added veterinary, shelter and court costs incurred by these SPCAs and humane societies, not to mention that it should be held responsible for the ongoing abuse of animals that continues to plague this province like an epidemic while it makes excuses and ignores the plight of defenceless animals and unsuspecting consumers.

At this time of year more than ever, I encourage caring people across the province to give generously to their local SPCA, to their local humane society, to their local animal rescue group. And please, before you buy a pet from a pet store, go and bring home a pet from your local shelter rather than buying one from a pet store where 90% of the animals come from puppy mills.

ELECTIONS IN PERTH

Mr Bert Johnson (Perth-Middlesex): I rise to congratulate the newly elected warden of Perth county and the re-elected warden of Middlesex county.

Perth county held its warden's election last Wednesday, December 5. Ed Hollinger, deputy mayor of North Perth, was elected to succeed Vince Judge, mayor of the same municipality.

Some years ago I played ball with Warden Hollinger, and more recently he was a member of Listowel council when I was mayor. Knowing Ed as well as I do, I'm confident Perth county council has selected a very capable person for the job.

At this time, I also want to thank the outgoing warden, Vince Judge, for his service.

Then last Thursday, December 6, Al Edmunston, the deputy mayor of Middlesex Centre, was re-elected as warden of Middlesex county. I've enjoyed working with Warden Edmunston over the past year and I know the residents of Middlesex will benefit from the experience he brings to the job.

Both gentlemen have a great deal of experience in local government and will work hard to protect and promote the interests of the people they serve. Undoubtedly we'll lock horns on some issues—that's the nature of the business—but today I want to express my respect for both wardens and congratulate them on their successful elections. I look forward to working with them both.

While I'm speaking about a commitment to public service, at this time I want to compliment the Honourable Michael D. Harris, Premier of Ontario, for his commitment to Ontario over the last many years.

MFP FINANCIAL SERVICES

Mr Bruce Crozier (Essex): I have continually reminded the Chair of Management Board that Brock University had contracts with MFP Financial and had them revised; that the region of Waterloo is suing MFP Financial; that the city of Windsor yanked a \$2-million contract from MFP Financial; that the city of Windsor is conducting a forensic audit of its dealings with MFP Financial; that the Essex-Windsor Solid Waste Authority can't trust the contracts with MFP Financial and they're having them audited; that the Union Water System in my riding is having their contracts with MFP Financial audited; and that now the city of Toronto is going through the same process. All the minister can say, all the Chair of Management Board can say is, "We have no legal disputes between them and any of our government ministries at this point in time."

Minister, where there's smoke there is usually fire, and we can't afford to let the flame of financial mismanagement continue to burn. I'm recommending that the Chair of Management Board ask the auditor to review the contracts—that's all. Minister, the warning sign is there. This swamp is full of alligators. Your boat's in the middle of it. You'd better check it for leaks.

CHRISTMAS OPEN HOUSES

Mr Gilles Bisson (Timmins-James Bay): Mr Santa Claus—or should I say Mr Speaker?—I want to congratulate you on the apparel that you wore this afternoon coming into the Legislature. In the spirit of that, I want to let members know, and also the people in the riding of Timmins-James Bay, that we're going to be holding our Christmas open house on Wednesday, December 19, in Timmins between 2 o'clock and 6 o'clock in the afternoon. If you're in the city of Timmins and you want to drop by and you want to come in for a glass of Christmas cheer, please come in.

Interjection.

Mr Bisson: House leader, down. Down, House leader, down.

Also, for those in the Kapuskasing or Hearst area, we're inviting you to be there on December 18 between 2 and 6 o'clock at night.

It's a good time for people to drop by the constituency offices, on the 18th in Kapuskasing and on the 19th in Timmins, to come together to celebrate the time of the year, to be able to, yes, share in a glass of Christmas cheer that is specially made by myself, by my tiny little feet as I walked on the grapes in the fall. We invite everybody to come over.

To our House leader, I know you're going to enjoy Christmas again this year, and we're going to invite you to come back to the Legislature so you can be here on December 25 with your friend Mr Bradley, celebrating this time of the year as you're here to debate all the important business before the House on that particular day.

SCARBOROUGH HOSPITAL
FESTIVAL OF LIGHTS

Ms Marilyn Mushinski (Scarborough Centre): Last night I had the honour of attending the Scarborough Hospital festival of lights. This is a joyous festival that was started on Monday at the Grace Division in Agincourt and on Tuesday at the General Division in my riding of Scarborough Centre.

The festival helps us to rejoice in the spirit of Christmas, Diwali, Ramadan, and Kwanza with the Caring Trees lighting ceremony, music, multicultural displays, food and refreshments, which was very exciting for all those who attended.

The lighting of the spectacular outdoor Caring Tree signifies the launch of the Scarborough Hospital Foundation's Caring Tree fundraising campaign, which I should add raised over \$115,000 in the first month. It celebrates the caring within their organization and throughout the community and is symbolized by the lights on the Caring Trees.

If any member or people watching this at home would wish to purchase lights in the name of someone special, or in memoriam, they can call or visit the foundation office of the Scarborough Hospital at the Grace Division, 416-495-2505, or the General Division, 416-431-8130.

While I'm on my feet I would like to take this opportunity to recognize a very special friend in the gallery this afternoon. That's Harry Danford, former member for Hastings-Peterborough.

1340

WOMEN'S SHELTERS

Mr Dominic Agostino (Hamilton East): I rise today to bring to the House serious concern in regard to the status of women's shelters and shelters for abused women in the city of Hamilton. This issue is not new to us. My colleague the member from Hamilton Mountain, Marie Bountrogianni, has raised this a number of times, as other members of our party have as well.

We have a situation in Hamilton that's absolutely shocking. Between the months of January and October of this year over 900 women were turned away from shelters in the city of Hamilton. In the month of September over 60 women were placed in hotels and motels because there was no space. This government has shown a callous disregard for the safety and well-being of abused women in Ontario. They make announcement after announcement without delivering. Clearly Ontarians have to understand this is a very serious situation.

A woman makes a difficult decision to flee her home, often with her children, goes to a shelter, gets turned away and is often faced with being back in a more abusive, more difficult, more dangerous situation. We've had announcement after announcement. We've had cuts that go back to 1995. The reality is that today in Ontario, in one community, in one city, in nine months 900 women were turned away from shelters because there was no room. Where do these women turn? Where is there to go?

This government stands up, makes the announcement, but has not delivered the beds, has not delivered the funding. It's a disgraceful situation in Ontario how our women are treated at the hands of this government. They don't learn; they don't get it; they don't understand how serious it is. I hope they come to their senses. This is a serious, dangerous situation for women. This government better get the message loud and clear.

PREMIER'S LEADERSHIP

Mr Toby Barrett (Haldimand-Norfolk-Brant): Tomorrow marks a historic day in the history of Ontario. Barring any unforeseen developments, it will be the last day that our Premier, Mike Harris, will stand in this Legislature as leader of this great province.

This is an end to an important chapter in the history of Ontario, a chapter in which the vision of one man changed the face of provincial politics—a change for the better. As people say, Mike Harris is the best thing to happen to Ontario and to all the people we serve who sent us here.

Never before has a Premier taken on so many challenges that have led to such significant changes. Mike

yanked us out of an economic tailspin and put us back on track for job creation, debt reduction and economic recovery. Ideas promoted by Harris that are now widely embraced were once considered extreme, in 1995. Mike was right, his critics were wrong and the people of Ontario agreed with him twice, by twice voting in a Harris majority government.

Restructuring helped to create smaller, leaner and more efficient governments, both at the provincial and municipal levels. For example, in my riding, Haldimand and Norfolk residents have now been given their counties back.

I've said it before and I'll say it again—I think my staff in the gallery would agree with this—Harris is the best thing to happen to Ontario in decades.

VISITORS

Mr Bruce Crozier (Essex): On a point of order, Mr Speaker: I'm pleased to have with me today, paying a Christmas visit, in the members' west gallery a young man, Dan Rowntree, who was my former association chairperson, my former campaign manager and now a budding young lawyer on Bay Street.

MACULAR DEGENERATION

Mr Ernie Parsons (Prince Edward-Hastings): My statement today is to every member on the government side of the House. Today is a day you should ask yourself, why did you run for office? Was it to play a game called politics or was it to help the citizens of this province?

In Ontario we have 3,000 citizens who are losing their eyesight because of wet macular degeneration. These are seniors; these are war veterans. Seven of the provinces in Canada fund the treatment for that. It is curable. Your government will not. By simply not making a decision you are in fact making a decision to sentence these 3,000 people to blindness.

You have money for health care ads, but you don't have money for health care. The priorities, as an individual, are something you need to reassess. You have the opportunity now to do the right thing. You have a unique opportunity to make a difference in this province.

We know what your health minister believes and we know what he is doing—nothing. You, as individuals, can make the difference. Tell the minister, tell your neighbours, tell the media where you stand on the funding of macular degeneration. Meet with the individuals who are about to lose the opportunity to see their grandchildren and tell them that you will not fund it like the other provinces—the other provinces that get the same money from Ottawa as this province—and that you will not make a decision.

You truly have a unique opportunity. Do the right thing now. Save your neighbours', your friends' and your relatives' eyesight while you can.

BREAKFAST PROGRAM

Mr David Tilson (Dufferin-Peel-Wellington-Grey): I had the pleasure of visiting St Mary's Catholic school in Mount Forest to see their breakfast program for students. When I arrived I found six enthusiastic volunteers busy at work preparing a hot breakfast consisting of pizza buns, yoghurt, fruit, juice and milk.

The original intent of this program was to feed 40 to 45 children five days per week. However, in a school of 225 students, they are now feeding an impressive 80 to 100 kids per day. Research has demonstrated that there's a clear link between good nutrition, school performance and behaviour. Kids who don't eat a good breakfast have difficulty learning. They're tired, have a short attention span and have great difficulty solving problems.

Catherine Gorman, a dedicated parent volunteer, coordinates this program at St Mary Catholic school. She became involved after the school council announced they felt there was a definite need for a breakfast program in their community. The program, which is run entirely on donations and volunteers, serves up a combination of hot and cold breakfasts.

The goal of the St Mary's breakfast program is to serve a nutritious breakfast to help students get a positive start to their school day. A well-fed student translates into one who will have a more productive learning day. Many generous donations of products, money and time have helped to make this program a vital part of the school community.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

The Speaker (Hon Gary Carr): I beg to inform the House that today the Clerk received the 18th report of the standing committee on government agencies.

Pursuant to standing order 106(e), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Rosario Marchese (Trinity-Spadina): I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill without amendment:

Bill Pr25, An Act respecting Nipissing University.

Your committee begs to report the following bills as amended:

Bill Pr21, An Act respecting the City of Ottawa

Bill Pr24, An Act respecting the City of Ottawa.

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill as amended:

Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts.

The Speaker (Hon Gary Carr): Shall the report be received and adopted?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1348 to 1353.

The Speaker: Mr Beaubien has moved the adoption of a report from the standing committee on finance and economic affairs regarding Bill 125.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Clement, Tony	Kells, Morley	Stewart, R. Gary
Coburn, Brian	Klees, Frank	Stockwell, Chris
Cunningham, Dianne	Marland, Margaret	Tascona, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Flaherty, Jim	Molinari, Tina R.	Wilson, Jim
Galt, Doug	Munro, Julia	Witmer, Elizabeth
Gilchrist, Steve	Murdoch, Bill	Wood, Bob
Gill, Raminder	Mushinski, Marilyn	Young, David
Guzzo, Garry J.	Newman, Dan	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	McLeod, Lyn
Bartolucci, Rick	Curling, Alvin	McMeekin, Ted
Bisson, Gilles	Di Cocco, Caroline	Parsons, Ernie
Bountrogiani, Marie	Duncan, Dwight	Patten, Richard
Boyer, Claudette	Gravelle, Michael	Peters, Steve
Bradley, James J.	Hoy, Pat	Phillips, Gerry
Brown, Michael A.	Kennedy, Gerard	Prue, Michael
Bryant, Michael	Kormos, Peter	Pupatello, Sandra
Caplan, David	Lalonde, Jean-Marc	Ramsay, David
Churley, Marilyn	Marchese, Rosario	Ruprecht, Tony
Colle, Mike	Martel, Shelley	Sergio, Mario
Conway, Sean G.	Martin, Tony	Smitherman, George
Cordiano, Joseph	McGuinty, Dalton	Sorbara, Greg

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 39.

The Speaker: I declare the motion carried.

Pursuant to the order of the House dated Wednesday, November 21, 2001, the bill is ordered for third reading.

INTRODUCTION OF BILLS

REAL ESTATE AND BUSINESS BROKERS ACT, 2001

LOI DE 2001 SUR LE COURTAGE COMMERCIAL ET IMMOBILIER

Mr Sterling moved first reading of the following bill:

Bill 152, An Act to revise the Real Estate and Business Brokers Act and to amend other Acts administered by the same Ministry / Projet de loi 152, Loi révisant la Loi sur le courtage commercial et immobilier et modifiant d'autres lois dont l'application relève du même ministère.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

Hon Norman W. Sterling (Minister of Consumer and Business Services): This bill replaces the current Real Estate and Business Brokers Act, which hasn't been amended for decades. After much consultation, we bring forward today a bill that will (1) increase consumer protection; (2) eliminate red tape and other obstacles to market and allow innovation in the marketplace; and (3) provide a flexible regulatory framework that can be readily adapted to future consumer needs in a changing marketplace.

This is a good bill. I hope that members will look at it, and I hope to have an open debate about it.

SAFETY IN HIGHWAY CONSTRUCTION ZONES STATUTE LAW AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT DES LOIS EN CE QUI CONCERNE LA SÉCURITÉ DANS LES ZONES DE CONSTRUCTION DE LA VOIE PUBLIQUE

Mr Hoy moved first reading of the following bill:

Bill 153, An Act to improve safety in highway construction zones by amending various Acts to implement the recommendations from the inquest into the death of Dick Van Rooyen / Projet de loi 153, Loi visant à améliorer la sécurité dans les zones de construction de la voie publique en modifiant diverses lois pour mettre en oeuvre les recommandations faisant suite à l'enquête sur le décès de Dick Van Rooyen.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Pat Hoy (Chatham-Kent Essex): Because of my interest in transportation safety, I'm very pleased to introduce a bill that will specifically enhance the safety

of Ontario highway workers, and therefore the public. My bill will implement recommendations made by the coroner's jury as a result of the inquest into the death of Dick Van Rooyen.

LAND TRANSFER TAX
AMENDMENT ACT, 2001
LOI DE 2001 MODIFIANT
LA LOI SUR LES DROITS
DE CESSION IMMOBILIÈRE

Mr Kormos moved first reading of the following bill:
Bill 154, An Act to amend the Land Transfer Tax Act / Projet de loi 154, Loi modifiant la Loi sur les droits de cession immobilière.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Peter Kormos (Niagara Centre): This bill amends the Land Transfer Tax Act to extend the tax rebate that is payable on purchases of newly constructed homes to purchases of resale homes as well.

1400

SUSTAINABLE WATER AND
SEWAGE SYSTEMS ACT, 2001
LOI DE 2001 SUR LA DURABILITÉ
DES RÉSEAUX D'EAU ET D'ÉGOUTS

Mr Hodgson moved first reading of the following bill:
Bill 155, An Act respecting the cost of water and waste water services / Projet de loi 155, Loi concernant le coût des services d'approvisionnement en eau et des services relatifs aux eaux usées.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): This is enabling legislation to try to get a better handle on the costs associated with water and all the operating costs associated with that, as well as sewage systems that are regulated. It's to improve the quality of our water in this province.

PUBLIC TRANSPORTATION
AND HIGHWAY IMPROVEMENT
AMENDMENT ACT
(NOISE REMEDIATION), 2001
LOI DE 2001 MODIFIANT
LA LOI SUR L'AMÉNAGEMENT
DES VOIES PUBLIQUES
ET DES TRANSPORTS EN COMMUN
(RÉDUCTION DU BRUIT)

Mr Caplan moved first reading of the following bill:
Bill 156, An Act to amend the Public Transportation and Highway Improvement Act with respect to noise

remediation / Projet de loi 156, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun afin de réduire le bruit.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr David Caplan (Don Valley East): This bill amends the Public Transportation and Highway Improvement Act to require that the ministry assess noise levels on highways after their construction, extension or alteration. Where the noise level exceeds the acceptable levels by five decibels or more, the minister is obliged to take all necessary steps to reduce the noise to an acceptable level within three years. This bill also requires that the minister establish and publish standards for acceptable noise levels for the operation of highways.

This bill complements the extensive work and lobbying that residents in my community of Don Valley East have been doing to remediate the noise increases that have resulted from road repairs and other work on Highway 401, Highway 404 and the Don Valley Parkway, which intersect in the heart of the riding. They've been frustrated by the Ministry of Transportation, who have thrown up their hands when presented with their concerns, saying they have no mandate to solve these problems. With this bill, I know that we'll give it to them.

CENTRE FOR EXCELLENCE
IN LIFELONG LEARNING ACT, 2001

LOI DE 2001 CRÉANT
UN CENTRE D'EXCELLENCE
POUR L'APPRENTISSAGE PERMANENT

Mrs Cunningham moved first reading of the following bill:

Bill 157, An Act to amend the Ontario Educational Communications Authority Act / Projet de loi 157, Loi modifiant la Loi sur l'Office de la télécommunication éducative de l'Ontario.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The minister for a short statement?

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): The purpose of this bill is to expand the range of flexible, high-quality learning programs offered to Ontario students of all ages. Our goal is to ensure that Ontarians, no matter where they live in our province, have opportunities throughout their lives to gain access to high-quality, relevant learning programs where and when they are needed.

The centre of excellence that will be established if this bill is passed by the Legislature will align the content expertise in elementary and secondary distance education programs provided by the Independent Learning Centre and the new media expertise available at the Ontario Educational Communications Authority.

The centre would be a first step in responding to a key recommendation outlined in the Ontario Jobs and Investment Board report, A Road Map to Prosperity, which called for a commitment to lifelong learning through the creation of a distance education network in Ontario. It would also be a further step in fulfilling our government's commitment to give every willing and qualified student access to an education so that they may later succeed in their chosen field.

CONSUMER REPORTING
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LES RENSEIGNEMENTS
CONCERNANT LE CONSOMMATEUR

Mr Cordiano moved first reading of the following bill:

Bill 158, An Act to amend the Consumer Reporting Act / Projet de loi 158, Loi modifiant la Loi sur les renseignements concernant le consommateur.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Joseph Cordiano (York South-Weston): This bill addresses inadequacies in consumer credit reporting legislation. It provides consumers with greater protection, first by increasing the accountability of credit reporting agencies; second, by providing consumers better access to information that might be used against them; and, finally, by ensuring that consumers are not penalized every time a credit check is conducted.

HIGHWAY TRAFFIC AMENDMENT ACT
(PASSENGER VEHICLES), 2001

LOI DE 2001 MODIFIANT
LE CODE DE LA ROUTE
(VÉHICULES SERVANT
AU TRANSPORT DE PASSAGERS)

Mr Gill moved first reading of the following bill:

Bill 159, An Act to amend the Highway Traffic Act with respect to passenger vehicles / Projet de loi 159, Loi modifiant le Code de la route à l'égard des véhicules servant au transport de passagers.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Raminder Gill (Bramalea-Gore-Malton-Springdale): Illegal taxi, limousine and minibus operators operate from the airport, from Union Station and from other places. These illegal vehicles are known as "scoopers." These scoopers pick up passengers at the airport without taxi licences, without insurance and without regard for their passengers. This bill would protect the public and combat this lawless behaviour.

ENVIRONMENTAL PROTECTION
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LA PROTECTION
DE L'ENVIRONNEMENT

Mr O'Toole moved first reading of the following bill:

Bill 160, An Act to regulate the spreading and storage of sewage sludge and biosolids / Projet de loi 160, Loi réglementant l'épandage et le stockage des boues d'épuration et des matières sèches biologiques.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr John O'Toole (Durham): This bill, if passed, would provide for the regulation of the spreading and storage of sewage sludge and other biosolids. The environmental impact of the use, spreading and storage of paper sludge and biosolids has not only been of concern to my constituents in Durham but it has been raised in the House this past week. I have worked with the municipal and regional levels of government in Durham, along with the group Protect the Ridges in Durham, and this issue has not been solved in a year and a half.

The real concern of my constituents is the reason I represent this issue here in the House today. Paper sludge, SoundSorb and biosolids have environmental impacts that must be analyzed, monitored and controlled by the Ministry of the Environment through the Environmental Protection Act.

ABOLITION OF THE ONTARIO
MUNICIPAL BOARD ACT, 2001

LOI DE 2001 SUR L'ABOLITION
DE LA COMMISSION DES AFFAIRES
MUNICIPALES DE L'ONTARIO

Mr Colle moved first reading of the following bill:

Bill 161, An Act to restore local control over planning by involving citizens and ensuring decisions are made by democratically elected officials / Projet de loi 161, Loi rétablissant un contrôle local de l'aménagement du territoire par la participation des citoyens et veillant à la prise des décisions par des représentants élus démocratiquement.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

The member for a short statement?

Mr Mike Colle (Eglinton-Lawrence): This bill provides that the government of Ontario has a duty to strengthen planning in the province and should exercise that duty by ensuring there is local control over planning decisions and by considering the abolition of the Ontario Municipal Board, which is unelected, unaccountable and totally out of control, and bringing back local democracy and local say over planning, taking it away from the Ontario Municipal Board.

1410

VISITORS

The Speaker (Hon Gary Carr): Just before we begin motions, we have in the east members' gallery Mr Doug Rollins, the member for Quinte in the 36th Parliament, and Mr Harry Danford, the member for Hastings-Peterborough in the 36th Parliament. Please join me in welcoming our colleagues.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek unanimous consent to introduce a motion that would extend the calendar of the Legislature to include next week and January to consider all of the important government bills that were introduced today.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

STATEMENTS BY THE MINISTRY
AND RESPONSES

GOVERNMENT'S RECORD

Hon Michael D. Harris (Premier): This past spring, in 21 steps into the 21st century, we presented our plan to keep Ontario strong, to protect the gains of the past and to prepare Ontario for new challenges. It is a detailed, comprehensive plan, but a plan with a simple message: government exists to serve the people, to create the conditions that will improve the lives of all people. This message is the foundation of our 21-step plan for this session.

It is a driving force behind everything we've worked so hard to achieve for six and half years, and it is the reason that I entered politics. Today, I will report on the progress we've made and the promises that we've kept.

Earlier this year, the North American economy entered a cycle of slower growth. The terrible events of September 11 made the situation much more serious here in Ontario and all around the world. Most private sector forecasters now expect only marginal economic growth this year. Although they predict much stronger growth in the future, it is clear that we must prepare for the serious fiscal challenge that we all face for 2002-03.

It would be irresponsible to spend money we don't have. The people of Ontario know that and we know that. We continue to demonstrate the same resolve, the same determination and the same fiscal responsibility that we always have. We will live within our means, we will not mortgage our children's future and we will not run a deficit.

Tough choices and strong leadership are needed today more than ever: tough choices to protect the progress that we've made; tough choices to keep government spending in line with lower revenues; and tough choices to ensure

that Ontario emerges from this economic cycle stronger and even more prosperous than ever.

I've always believed that the best way to improve the lives of the people of Ontario is to strengthen the economy. A strong economy creates jobs so hard-working people can provide for their families. A strong economy gives government the resources it needs so that it can invest in priorities like health care and education and community safety.

The first step of our plan is to remove barriers to jobs and investment and growth, and there is perhaps no greater barrier than high taxes. This fall we accelerated our promised cuts to personal income taxes, to corporate income taxes and to capital taxes that were scheduled to come into effect on January 1, 2002. When our personal income tax cuts are complete, a family of four with a combined income of \$60,000 from two earners will have \$2,345 more each and every year than without our tax cuts. This is money that can be invested or used for new appliances or a family vacation or whatever they choose to do with their money. This money belongs to Ontario families; it does not belong to the Ontario government.

On January 1, 2003, new tax cuts are scheduled to come into effect. These will include cuts to personal, small-business and corporate taxes. Although the cost to government of the next step—in the fiscal year 2002-03—of the corporate tax cuts is only \$20 million in the next fiscal year, it sends an important signal to job-creating companies that we will continue to make Ontario a competitive tax jurisdiction, and that they can invest and can hire even more employees with confidence.

We've always believed that government ownership of commercial businesses is not in the best interests of taxpayers. We decided long ago that it was time for a new strategy for Ontario's electricity sector, a strategy that would give customers more choice, guarantee a safe, reliable supply of electricity, protect the environment and encourage innovation.

According to the Independent Electricity Market Operator and the Ontario Energy Board, the strategy is indeed working. As we promised, the market will be opened to competition this spring. We're planning to announce the exact date of market opening before Christmas.

We have a bold, historic plan to encourage investment in Ontario and increase efficiency in the energy sector. As part of this plan, today I am pleased to announce that we have instructed SuperBuild to privatize Hydro One. This will be accomplished through an initial public offering, or IPO. Later today the Minister of Energy, the Minister of Finance and I will be announcing more details. Through the Ontario Energy Board, we will continue to provide strong regulation of the energy sector to ensure that the market is fair and open and that customers receive the benefits of competition.

The old Hydro monopoly left a legacy of \$21 billion in stranded debt. That debt needs to be paid down. It is the responsible thing to do for a government, for the rate-payers and for the future of electricity growth and invest-

ment in this province. We have committed that all proceeds from the sale will remain in the electricity sector and will accelerate the paydown of that stranded debt.

We've kept the promise we made in step 2 of our plan by making the largest debt reduction in Ontario's history: \$3.1 billion in the last fiscal year. For the third year in a row, we presented a balanced budget.

I'm very proud of what our government has accomplished, particularly when it comes to balancing the need to protect Ontario's natural resources with the need to encourage future growth and create jobs.

We have introduced legislation that would, if passed, create the Toronto Waterfront Revitalization Corp to help ensure that our vision for the waterfront of Toronto, our capital city, is realized.

1420

We're developing a Smart Growth vision and implementing Smart Growth panels that will promote and manage growth in ways that will strengthen the economy, build strong communities and create a healthy environment.

As part of step 9, we promised legislation to make it easier to clean up abandoned or contaminated land known as brownfields. On October 31 we passed that legislation.

We promised a long-term plan to protect the Oak Ridges moraine, and on November 1 we kept that promise, bringing the total amount of land that we've protected since 1995 to more than three million hectares or four million football fields.

Today we introduced legislation that would help ensure that Ontario's water services are safe and sustainable for future generations. If passed, this legislation would ensure that municipalities have the resources they need to ensure that their water and sewer infrastructure is modern and well maintained. This is another step in Operation Clean Water, our government's comprehensive action plan to improve water quality and delivery in Ontario.

We're also planning for Ontario's future transportation needs. To reduce gridlock and protect our environment, we announced our \$9-billion transit plan on September 27. We have kept our promise. So have the municipalities kept their promise. Now it's Ottawa's turn to honour their promise.

I believe that all Ontario children deserve the best quality start in life and a quality education that gives them the skills they need to succeed in a job and to succeed in life. Starting next year, parents will have more choice when it comes to their children's education. Parents who send their children to independent schools will be eligible for a tax credit of up to \$700, which will reach a maximum of 50% of tuition, or \$3,500, by 2006.

As promised, this fall we launched our first annual education survey, asking every parent in the province to tell us what we can do to further improve Ontario's education system. We introduced legislation that would establish a qualifying test for new teachers. If passed, it would also set new province-wide performance standards and help principals to do regular, fair and consistent performance appraisals of teachers' classroom skills. These

measures are vital to ensuring that Ontario's teachers have the up-to-date skills they need to help our students succeed.

This government's commitment to Ontario's health care system is unparalleled. Since 1995 we have increased health care spending by more than \$6 billion. This year alone we will spend more than \$23.7 billion.

To ensure that Ontario families have access to professional health advice and information, 24 hours a day, seven days a week, we have expanded Telehealth Ontario, a service we began in 1999, to every community across Ontario, just as we promised. Now parents who wake up in the middle of the night with a sick child can speak to a registered nurse, any day, any time.

To improve the recruitment of physicians to undersupplied areas of the province, we have increased medical training opportunities in these communities. This includes the creation of a made-in-northern-Ontario medical school, the first new medical school in Ontario in 30 years. And we're creating two new rural regional training networks, in southwestern and south central Ontario. We're increasing enrolment in medical schools by 30% compared with 1999 levels and we're expanding our training program for doctors who are educated abroad. We've also launched a program to assess foreign-trained doctors and enable them to practise in Ontario. In return, they will commit to practising in the underserved communities.

Steps 15 and 16 of our plan relate to improving Ontario's health care system. That requires leadership, leadership at the provincial level and leadership at the federal level. We understand that, but apparently Ottawa does not. Since 1995, 90% of Ontario's new spending, or \$6 billion, has gone to health care. But once again, in Monday's budget, the federal government failed to keep its health care promise to the people of Canada. It failed to make health care its number one funding priority. It failed to listen to Canadians from coast to coast who have said loud and clear that health care is their number one priority. Instead, the federal Liberals spent billions and didn't commit a single penny of new funding for health care: no national home care plan, as they promised, no national pharmacare plan, as they promised, and not one new cent for the provinces to provide these programs that they promised and failed to deliver on.

The events of September 11 reminded us that we must never take the safety and the security of Ontario's families for granted. Following the events of that terrible day, we acted swiftly and decisively to protect the people of Ontario. We appointed two new security advisers, retired Major-General Lewis MacKenzie and former RCMP Commissioner Norman Inkster, who are providing strategic advice on Ontario's emergency readiness. We announced new training facilities for our police, firefighters and ambulance personnel. We'll invest more than \$30 million in counterterrorism and emergency management measures. We will not let the terrorists win by jeopardizing the safety or the prosperity of Ontario's families.

When I became Premier, I had very high hopes for the people of Ontario. I hoped for more jobs, more people off of welfare, more efficient government, more students who could read, write and do math, more parks, more long-term-care beds, more help for new parents. Many of these hopes have been realized in the last six and a half years.

But these accomplishments do not belong to us alone. These accomplishments belong to the people of Ontario. They belong to the entrepreneurs who seized opportunities and created all those new jobs. They belong to the parents who joined parent councils, the teachers who tackled the new curriculum and inspired their students to achieve even more. They belong to the more than 600,000 welfare recipients who turned their lives around. They belong to the doctors and the nurses who worked long hours to provide excellent care.

Like people all across Ontario, we still have high hopes for the future. Like we have for the last six and a half years, we'll keep working hard to create an even brighter future for all of our citizens, to make the tough decisions that will secure the gains we've made together. And like we have from that very first day in 1995, we will keep our promises to the people of Ontario.

1430

Mr Dalton McGuinty (Leader of the Opposition): I really appreciated the Premier's revisionist review of the past year, but I think it's time for a bit of a reality check. Let's just take a moment to take stock and see just where we are in Ontario after another year of Tory government.

First of all, deficits are actually making a comeback in Ontario; the education system is failing our children; health care is in need of reform and more funding, but this government refuses to make it a priority; and the environment has been ravaged and this government refuses to accept any amount of responsibility for what happened in connection with the Walkerton tragedy.

Let's just start for a moment and take a look at the government finances. I think a very important question that Ontario's families are asking themselves today is, after six and a half years of unprecedented economic boom, six years of uninterrupted growth, something that hasn't happened since the Second World War, how can it be that after this we're staring into the face of a \$5-billion deficit? I'll tell you why. This government has grossly mismanaged the provincial finances. They have added in excess of \$20 billion to the debt. They borrowed \$10 billion for a tax cut that is costing us \$800 million a year in interest payments. This government squandered a rare opportunity to put us into a position so that we might be able to weather a recession. Now the government is saying, once again, that working families will have to pay the price of their mismanagement. This is going to mean more cuts to health care, more cuts to education, less protection for the environment, more tuition fees for our kids and more and more user fees. That is this government's plan as a result of their gross mismanagement of the government's finances.

Let's take a look at where we are when it comes to education after six and a half painful years: one half of our children are failing to meet the basic standard in reading, writing and mathematics; one third of our grade 10 students are failing the literacy test; one quarter of our grade 9 students were unable to complete the basic course load; we have crowded classrooms; we have a shortage of textbooks; we have families who are involved in fundraising for basic supplies at school, including textbooks; we have 35,000 children who have special learning needs which are going unmet because they simply can't get their first psychological assessment; we have, of course, demoralized teachers who have been used as political punching bags for the last six and a half years. And the plan to deal with all of this crisis created by this government? Well, the plan involves putting a billion dollars into private schools.

I can tell you that we have another plan when it comes to supporting public education. We think we should have smaller classes; we believe in public school choice; we believe in choice within the public system; we believe in turnaround teams; and we believe in lighthouse schools. That would be our priority when it comes to public education.

When it comes to the matter of health care, I'm not sure I could tell any story more compelling, more telling, than the story I told yesterday about Mrs Marie Thurston. This is a woman, 72 years of age, widowed 28 years, who raised three children on her own and worked day in and day out as a store clerk in a small Ontario community. She's gone blind in her left eye. She's losing sight in her right eye. There's a treatment that's available—that's the good news. It turns out it's available in seven other Canadian provinces. In this province, our Ontario, after six and a half years we apparently have enough money for another \$2.2 billion in corporate tax cuts, we have enough money for half a billion dollars in private schools, we have a quarter of a billion dollars to spend on partisan political advertising, but in this Ontario, yes, in Mike Harris's Ontario—so that we don't get caught up in this revisionist perspective of what this man has really been all about during the last six and a half years—in this man's Ontario we don't have money for Visudyne, the treatment that is necessary to help save Mrs Thurston's sight.

That is the legacy of this government. Let's not lose sight of Mrs Thurston and others like her who have been counting on this government for the last six and a half years to protect their interests and to defend their needs and the needs of their families.

This government has let working families down. They haven't protected their schools, they've attacked their schools, and they've now abandoned public education and said, "Go to private schools." They haven't defended health care. Now we've got the man who's seeking the job of Premier saying, "I'm going to take another half-billion dollars out of the health care budget."

This is a government that has refused to stand up for working families. I can tell you, we are looking forward to taking on that responsibility.

Mr Howard Hampton (Kenora-Rainy River): I want to respond to—

Interjection.

The Speaker (Hon Gary Carr): Order. The member for Hamilton East, come to order, please.

Set the clock back, if you could, to five minutes. Thank you.

Sorry for the interruption. The leader of the third party.

Mr Hampton: The Premier has said that it would be irresponsible to spend money we don't have. Perhaps the Premier can tell the people across Ontario this: how is your government going to give away \$2.4 billion in corporate tax cuts this year, another billion dollars in personal income tax reductions to the well-off, and \$300 million in tax breaks for private schools when you yourself admit you don't have the money?

To find the money to finance that, as we all know, you're now going to cut more out of the education system, you're going to cut more out of environmental protection, and you're going to deregulate and push up tuition fees for those students who want to go to university.

What we have is not an agenda that is helping people. What we have is an agenda that repeatedly has made available tax cuts to corporations, no matter what their profit level, tax cuts to the well-off and tax breaks for your special interest friends, while the environment of this province is put at risk every day, with the reminder of that from Walkerton and the reminder from the Provincial Auditor's report that said even food safety in this province is now at risk because of cuts and reductions and privatization. There is the plight of municipalities, which have no idea how they're going to pay for the cost of services that have been downloaded by your government, and meanwhile they have no new revenue. Finally, there are the poorest in this province, who now face an affordable housing crisis, not just in Toronto but in Ottawa, in Hamilton, in London, even in small cities like Peterborough and Guelph.

This is a story about a government that has repeatedly helped the well-off and the corporate friends, the people who don't need help, at the expense of the services and the public assets that matter to every person across this province.

I want to spend a few minutes on the privatization of Hydro. I want to say very clearly to people across this province that what the sell-off of our Hydro system means is this: electricity that has been produced in Ontario and that in the past was sold at cost is now overwhelmingly going to be exported to the United States, where corporations are prepared to pay twice the price we have paid in Ontario. What that means for Ontario's industries and what it means for Ontario's consumers is this: we will now be paying New York prices or Boston

prices, twice what we've been paying now, or we will not have access to our own electricity.

If you work in a steel mill, imagine what it's like when the electricity bill for that steel mill goes up by 100%, yet you don't get any more for the price of the steel; or if you work in a pulp and paper mill, imagine what it means when the price goes up by 100%, but you don't get any more for the pulp and paper; or if you're an ordinary consumer and you've been paying \$1,000 or \$1,500 a year for electricity and suddenly you get the bill in the next year, the next two years that says you're paying \$3,000. All of this government's hogwash about tax cuts is not going to help you pay the electricity bill, and for people who lose their jobs as a result of this, how do you get a tax cut when you don't have a job? That is going to be, and that is already, the reality for too many people.

As we saw here today, it is not just the privatization of our electricity system that's going to happen; this government has introduced legislation that will permit it to privatize our municipal water and sewer facilities as well. People need to know that this is not a new experiment; this was done in Great Britain. Once the water systems were privatized, the private companies that became the new owners automatically pushed up the rates by 100%, 150%. People who lived in lower-income or modest-income neighbourhoods suddenly found that they were not getting quality drinking water. In fact, the British Medical Association, after the privatization of water systems in Britain, routinely every year wrote letters to the then Conservative government pointing out that since the privatization of water had happened, drinking water had become the number one source of infectious disease and the number one source of public health problems in Great Britain.

This government is all about private provision, but people had better understand that the privatization of water, of electricity, of schools and health care is going to cost all of us a lot more. It always has, it always does and it always will.

DEFERRED VOTES

QUALITY IN THE CLASSROOM ACT, 2001

LOI DE 2001 SUR LA QUALITÉ DANS LES SALLES DE CLASSE

Deferred vote on the motion for third reading of Bill 110, An Act to promote quality in the classroom / Projet de loi 110, Loi visant à promouvoir la qualité dans les salles de classe.

The Speaker (Hon Gary Carr): Call in the members. This will be a five-minute bell.

The division bells rang from 1442 to 1447.

The Speaker: Could the members take their seats for the vote, please.

Mr Dunlop has moved third reading of Bill 110, An Act to promote quality in the classroom.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Tsubouchi, David H.
Elliott, Brenda	Mazzilli, Frank	Turnbull, David
Flaherty, Jim	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Witmer, Elizabeth
Gill, Raminder	Murdoch, Bill	Young, David
Guzzo, Garry J.	Mushinski, Marilyn	
Hardeman, Ernie	Newman, Dan	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	McGuinty, Dalton
Bartolucci, Rick	Curling, Alvin	McLeod, Lyn
Bisson, Gilles	Di Cocco, Caroline	McMeekin, Ted
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Gravelle, Michael	Patten, Richard
Bradley, James J.	Hampton, Howard	Peters, Steve
Brown, Michael A.	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Kennedy, Gerard	Prue, Michael
Caplan, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Marchese, Rosario	Sergio, Mario
Conway, Sean G.	Martel, Shelley	Smitherman, George
Cordiano, Joseph	Martin, Tony	Sorbara, Greg

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 52; the nays are 39.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

VISITORS

Hon Dan Newman (Minister of Northern Development and Mines): On a point of order, Mr Speaker: I would ask you and all members of the Legislative Assembly to join me today in welcoming three guests who have travelled from the town of Greenstone to be with us today. They are Mayor Charlie Primeau, Councilor Gord Williams and the chief administrative officer, Roy Sinclair.

The Speaker (Hon Gary Carr): It's not a point of order, just as if I were to introduce my mayor, who's in the members' gallery, Ann Mulvale from Oakville.

Mr Frank Klees (Oak Ridges): On a point of order, Mr Speaker: I too would like to welcome two guests from my riding, Mr Bruno Mettel and Mr Leo Mettel.

Mr Richard Patten (Ottawa Centre): On a point of order, Mr Speaker: I seek the unanimous consent of the House to call forward private member's motion number 19, which is a non-partisan joint resolution for all members, regardless of party, on the condition that the Burmese people have related on their human rights and democracy. I believe there is a member of each party who's prepared to speak to this, and I would recommend that up to five minutes be given to each of those members.

The Speaker: Is there unanimous consent? I'm afraid I heard a no.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I would like to introduce everybody in the gallery who hasn't been introduced so far.

The Speaker: That probably doesn't leave too many folks.

ORAL QUESTIONS

EDUCATION TAX CREDIT

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Finance. This morning the cabinet met once again to consider your plans for sending half a billion public dollars into private schools. We believe your private school voucher is a huge mistake. We believe it's going to cause still more harm to public education. Let me be very clear: as Premier, I will scrap your private school tax credit. I choose to use that money in public education.

Minister, how can you possibly justify giving half a billion dollars to private schools, when our province faces such tremendous needs in public education?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): I'm interested that the member opposite is opposed to the equity-in-education tax credit. Mr Sorbara of his party, who sits in the front row over there, apparently supports it. I'm sure that eventually the Liberals on the other side of the House, at least by election time, will sort out who believes in what and let the people of Ontario know whether they should believe Mr McGuinty from Ottawa or Mr Sorbara from Vaughan-King-Aurora. The people of Ontario can try to figure out what the position of the Liberal Party of Ontario is on that issue.

We believe in fairness. We believe in choice. We believe that if parents choose to spend on all their property taxes, to pay their taxes, to pay their income taxes, to fully fund the public system, then if they choose to go into their pockets and mainly for religious or cultural reasons choose, pursuant to their values, to send their children to an alternative school, to a private school, then they're entitled to receive some credit for doing that. That, we think, is reasonable. That, we think, is parental choice. The funding—

The Speaker (Hon Gary Carr): I'm afraid the minister's time is up.

Mr McGuinty: Minister, I can tell you that I have been crystal clear throughout on this issue, unlike the Minister of Education and unlike the Premier, who have performed flip-flops of Olympian proportions on this matter.

If you want to talk about choice, then let's talk about the choice that 97% of Ontario parents would like to make. They want to choose strong public education. They choose having enough textbooks in the classroom for their kids. They choose having classrooms that aren't overcrowded. They choose having teachers who feel valued, because they do a better job for their kids. That's the kind of choice that Ontario parents want to make. So I ask you again, on behalf of the 97% of Ontarians who are choosing public education, notwithstanding your consistent and relentless attacks on it during the last six and a half years, I ask on behalf of them, why are you taking half a billion dollars and putting it into private schools?

Hon Mr Flaherty: Let me help the member opposite with his arithmetic, if you'd like to look at it another way. The maximum amount of the tax credit five years out will be \$3,500 per annum. The average cost of educating students in our school system is \$6,000 to \$7,000 per annum. If we take all of the children who are in private school today and move them into our public school systems—he can do the arithmetic. What does he think that will cost the taxpayers of Ontario?

Mr McGuinty: I'm not sure what that was, but it was hardly a rational, intelligent and logical defence of the policy which he so embraces. I can understand why he wants to back away from it. Let's just put this on the record once and for all. This government has, for the past six and a half years, attacked public education, undermined confidence in public education, used teachers as political punching bags, and our kids have paid the price.

What you're doing now through this private school tax credit is saying, "Listen, we give up on public education. We're inviting you now, parents of Ontario, to abandon public education." I'm telling Ontario parents that we're on their side. We're on the side of public education. We'll continue to fight for public education. We're going to scrap your private school tax credit.

I ask you once again, Minister: understanding the state of public education as it is, understanding what you have done to public education, keeping in mind the sage wisdom that came forth from the Minister of Education and the Premier himself before when they said this would be a bad thing for public education, knowing all of that, how can you still insist on taking half a billion dollars and putting it into private schools?

Hon Mr Flaherty: Just as in health care funding, Mr McGuinty is out of step with Canadians. The majority of Canadian people—in Quebec, Manitoba, Saskatchewan, Alberta and British Columbia—have access to private school funding. That's a majority of Canadians. With this initiative by the Ontario government, now more than 90% of Canadian families will have access to some kind

of support when they send their children to an alternate school. That's the majority view in Canada.

It's also the majority view in Canada—in fact, it's the united view across Canada—that you're wrong and the federal Liberals are wrong in your failure to fund health care adequately across the country. You're wrong in two important areas: education and health care, the two fundamental areas to the people of Canada. We believe in freedom, we believe in choice, we believe in fairness to all parents—

The Speaker: The minister's time is up.

ONTARIO DRUG BENEFIT PROGRAM

Mr Dalton McGuinty (Leader of the Opposition): My question is for the associate minister of health. I want to return to a very important issue, a matter I raised yesterday in this Legislature in connection with Mrs Marie Thurston. Today we are joined in the gallery by 12 members of Ontario families who are here because they or someone they love are going blind. They're here because you won't fund the treatment that is funded in seven other provinces. Can you tell me, Madam Minister, and more specifically tell Ontario families and these 12 people today, why saving their vision is not a priority for this government?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Let me say that, of course, any health care in the province of Ontario is a priority of this government. Our government understands the concerns of people and families who are living with macular degeneration and the struggles they face. That's why this government has asked the Ministry of Health to look into what we can do, to investigate options to make this treatment available. The treatment is complex, as everyone in this House knows. It involves physician supervision, it involves laser therapy, it involves drugs. We're looking at the efficacy of the drugs, we're looking at the human resources we have in the province. We continue to work for the people of Ontario to ensure they get quality care. That's our goal and we're going to continue to do that.

1500

Mr McGuinty: This is the government that was going to get rid of red tape. This is the government that can react in a split second when it comes to attacking the federal government and putting out ads in newspapers right across the province. This drug has been approved by Health Canada. It was approved by your own expert drug panel. We're talking here about an issue of fundamental importance. It means everything to these people in their daily lives. We're talking about a simple treatment that is funded by seven other provinces that all share the same federal government.

I ask you, Madam Minister, why is it that in this Ontario, in Mike Harris's Ontario, we don't have money to fund this treatment to save our parents and grandparents from going blind, but we've got \$2.2 billion for tax cuts?

Hon Mrs Johns: The member opposite knows this government has invested more dollars in health care than any other government. We provide more services than any other government. We continue to ensure that the people—

Interjections.

The Speaker (Hon Gary Carr): Order, please. Sorry, associate minister of health.

Hon Mrs Johns: We care about the people of Ontario, especially the seniors of Ontario. That's why we have continued to put 90% of the dollars we've invested in the province into health care. That's why this government, led by Mike Harris, is asking the Ministry of Health to look at this again. As I said before, the treatment is complex. It involves physician supervision and laser therapy. It involves drugs. We're looking at it to ensure we can provide the people of Ontario with the care they need, because in Ontario—

The Speaker: The minister's time is up.

Mr McGuinty: Madam Minister, I want to introduce you to these people so you'll understand who it is you are affecting by your refusal to fund a treatment that is funded in seven other provinces. We have here Mrs Robinson, Mr Bater, Mrs Andrews, Mrs Evens, Mrs Johns, Mrs Alliance, Mr Goldberg and Mrs Kefler. These people are either losing their sight or someone they love is losing their sight.

Seeing in Ontario should not be some kind of option that you may or may not decide to elect, depending on how you feel at the time. These people can only look to you. They can't afford the treatment. If they could afford the treatment on their own, they'd go get it and they'd have it done. But they can't afford the treatment, so they're looking to you in government. They have had nothing to do with government in the past. They are here today because they need your help. They're asking you to fund this treatment. All I'm doing is putting this case before you.

Premier, you have an opportunity now. This is an important part of your legacy. You could decide that you're going to fund this treatment. Your minister has refused to do so. The associate minister has not made any positive remarks at all. It's now up to you. I ask you, Premier, to do the right thing and fund this treatment.

Hon Mrs Johns: I can't stress enough that this province is continuing to invest in as many health services as we can. Like every government across every province, we are trying to invest money as quickly as we can in the health care system. Let me say that in communities such as mine, when there is a problem that isn't covered yet by OHIP, my community comes to the aid of these people and helps people, to ensure they get the money they need, such as my Rotary Club or my Lions Club. I'm happy to work with these people to ensure that happens.

Let me say again that it's the goal of this government to work with the Ministry of Health and Long-Term Care to ensure we get everyone involved so that we can provide—

Interjections.

The Speaker: Sorry, associate minister of health. The member for Sudbury, come to order, please.

Hon Mrs Johns: This government is investigating this with the Ministry of Health. We're working with health professionals across the province. We're looking at the efficacy of the drug. We're looking to see the validity of the laser therapy. We care about—

The Speaker: I'm afraid the minister's time is up.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): My question is for the Premier. You've indicated today that your government is going to privatize Hydro One through an initial public offering. In other words, you're going to turn it into a completely privatized company.

One of the financial advisers to Hydro has said that this privatization of Hydro would allow the company to become a significant electricity exporter, that the focus of Hydro One would be to take electricity produced in Ontario and export it into states in the United States. If that is the model that your government has chosen—to export power to New York state, to export power to Boston, to Chicago, to Detroit—you must recognize that the power rates in those jurisdictions are much higher than they are in Ontario. You must recognize that if the goal is now to sell our power into those markets, then Ontario consumers are going to be told, "You either pay the same price that they're paying in New York or Boston, or we're simply going to export more power there and make less electricity available here." Are you prepared to tell the consumers of Ontario now that that's what your strategy means?

Hon Michael D. Harris (Premier): Let me just make sure the member understands a couple of things. First of all, Hydro One doesn't sell power. Hydro One is not in the business of selling power. Hydro One for the most part, and the part that I think most are referring to with the IPO, is a transmission company, and through this IPO, instead of it being a government monopoly, it will be a private sector monopoly. As such, it will be fully regulated by the Ontario Energy Board and by the IMO, which both have a mandate to not only protect Ontarians on rates but to protect Ontarians on supply. Let me assure you that Hydro One does not generate and does not sell electricity and therefore is unlikely to be applying for an export licence to do so.

Mr Hampton: Premier, you can argue with the vice-president for communications at the company, who has said that the mode you have chosen to privatize, through an IPO, means very clearly that they are going to become an export-focused company. The same financial adviser, Stanley Hartt, has said, "Companies will not make an investment in Ontario power or risk ownership if they can't export the energy to the United States," and that's why he is in favour of the route you have chosen.

So all the financial advisers to Hydro One have been saying that this is an export-oriented concept, that it is about taking Ontario electricity and transmitting it to the

United States and selling it there. If that is the case, you must acknowledge that Ontario prices are going to rise to the level they're at in New York. If all the financial advisers to Hydro One, all those people who have been in the business pages of the *Globe and Mail*, the *National Post* and the *Star*, are saying this and are saying that's going to be the net result, will you at least now admit to the consumers of Ontario that that's going to be the case?

Hon Mr Harris: As I tried to explain to the member, who doesn't seem to understand the electricity industry, Hydro One does not generate or have power to sell, so they will not be selling and exporting power. There would be no reason for them to get an export licence. I can tell you, those who might have power to sell and wish to sell to markets other than Ontario would first of all have to apply for an export licence, which is controlled by the federal government. I assume that would not be granted unless domestic needs are met. Secondly, it would have to get the approval of the IMO, which has a mandate to make sure that we are able to get electricity to Ontarians. Third, it would have to have the approval of the Ontario Energy Board, which has a mandate to ensure that the price is competitive here in Ontario.

So for the second time, I can guarantee you that Hydro One will not be exporting electricity. That's not their business.

1510

Mr Hampton: Premier, this is another financial commentator, who says, "The other option, the not-for-profit option which would have maintained control here in Ontario, would have prevented Hydro One from building the transmission corridors to the United States and exporting electricity. It would have boxed Ontario's electricity into Ontario. This would help preserve the made-in-Ontario price, now lower than those found in neighbouring American states, which would be good for Ontario's industry and Ontario consumers."

Premier, if all the financial advisers to Hydro One and Ontario Power Generation and all the financial commentators are saying this is all about taking electricity produced in Ontario, selling it in the United States at a much higher price, and Ontario consumers will either have to pay that much higher price or simply do without their electricity, if they all admit that's the game, why can't you be honest about it and admit that's the strategy, that's the concept and that's what's going to happen?

Hon Mr Harris: The member does not seem to be aware that the mandate of the IMO—and there would have to be an application by a government monopoly or by a private sector monopoly for any new transmission that is built—and the job of the IMO is to ensure the best interests of Ontarians are looked after. That's the same whether it's a government monopoly or a private sector monopoly. There is an interest among the government monopoly—as you know, when you were in office, when the Liberals were in office, and now when we are in office, if we had surplus power, we would want to export it and sell it and make a profit so that we could keep the cost lower here in Ontario.

SPECIAL-NEEDS STUDENTS

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Education. Today your government decided that you are going to extend public funding to private schools and you decided on the level of financing. Can you tell the people of Ontario how this can happen at a time when there are 37,000 special-needs students in the public education system in Ontario who are not funded under the education funding formula, how you can say to those 37,000 students who are not funded for special education that they don't matter, but at the same time you're going to make available \$300 million to support private schools in Ontario?

Hon Janet Ecker (Minister of Education, Government House Leader): I'd be quite happy to provide the honourable member with a briefing on how we fund education, but special-needs children are indeed covered under how we fund education. There is an increase in financial supports for those students, as there should be, because they need those supports. The honourable member is in error. They are indeed funded.

Mr Hampton: Minister, you might want to provide that explanation, for example, to the Keewatin-Patricia board, where the special-ed assistants right now are out on strike because the board has said to them that they simply do not have the money, that they are not funded under the education funding formula such that every child who needs special education can in fact be funded for it. Or you might want to talk to the Rainy River District School Board, which wrote to you earlier and pointed out the same thing, or the Thunder Bay board or a number of boards across the province that point out they simply do not receive the money through the education funding formula that allows them to fully cover the needs of special-ed students.

At the same time, your government is going to make available \$300 million in taxpayers' money to private schools. That's the issue. How can you underfund those students who need help the most, who need assistance the most, who deserve your help, and at the same time extend funding to private schools to the tune of \$300 million a year? Explain that to their parents.

Hon Mrs Ecker: Not one cent of public education money is being used for anything else. Let's be very clear about that. Second, funding for public education is a priority for this government. It is why we are spending \$13.8 billion, more than the honourable member's government was spending when they were in power, increases above and beyond enrolment. Last year there were increases of over \$300 million. This year we have increases of over \$300 million, of \$360 million. So we have continued to invest new monies in public education because it is indeed a priority.

As I said, I'd be very happy to provide the honourable member with details and information about how school boards are indeed funded for special-needs services for children. There's been a 17% increase in the level of that funding, but we're also in the process of putting stan-

dards in place because what we are finding when we hear from parents is that the services that boards are providing are varying from student to student—

The Speaker (Hon Gary Carr): The minister's time is up. A point of order? Stop the clock. Very quickly, because I'm going to be very quick, please.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: The Minister of Energy is supposed to be here. We were told he would be here and our question is for the Minister of Energy.

The Speaker: We'll stop the clock. He is here.

Interjections.

The Speaker: Easy, folks. People do go out a little bit. We'll find him. Here he is. Everything's all settled.

COMPETITIVE ELECTRICITY MARKET

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Minister of Energy. Minister, today we learned for the first time in this Legislature of your government's plans to privatize Hydro One through an initial public offering. I want to go back to something said in this Legislature in 1993 by one Mike Harris. He said, "We would like this assurance that before there is any proposal to fire-sale agencies or divisions of Ontario Hydro, there will be a full debate in this Legislature and full disclosure so that we can ensure that it's not just a fire sale to try and grab some dollars to shore up your treasury, but that in fact it's in the interests of Ontarians."

I think that the Premier then made eminent good sense; I think we should have a full debate. I think Ontarians should have a full understanding of exactly what your plans are. I'm wondering, Minister, why it is that you are depriving us of the opportunity to have a full debate over this initial public offering.

Hon Jim Wilson (Minister of Energy, Science and Technology): I feel sorry for the honourable member. He's missed the debate over the last four or five years in this province.

We on this side of the House have been actively involved in making good changes to the electricity system to protect consumers, to make sure we never rack up that debt that your party and the NDP did nothing about when you were in office, and to make sure we don't become a California, where there's not enough supply.

After the mismanagement over the years of the old Ontario Hydro and the old monopoly, we certainly can't go out and borrow money any more. We owe \$38 billion from that old monopoly, so we have to welcome in the private sector to help us build new generating plants and new wires in the province. It makes eminent sense to everyone. I hope it makes sense to the honourable member.

Mr McGuinty: Minister, there has been no debate in this Legislature about the future of Hydro One and it would be wrong for you to say otherwise. There has been no such debate in this Legislature or before a committee. We learned more recently through speculation in the newspapers about some consideration for future plans for

Hydro One. This represents a very important and fundamental change in terms of how we deal with the wires in Ontario. You know, Minister, how fundamental a change this is. You know this represents a decided departure from what we've had in the past. All I'm asking for is the opportunity to bring Ontarians into the loop so that we might debate this thoroughly in this Legislature. That's what Mike Harris said back in 1993. He was right then and I am right now, and you know it. Why can't we have this debate in this Legislature?

Hon Mr Wilson: Mike Harris made a commitment in 1993 and he fulfilled that commitment in 1995 when we started this process. You may recall that there was a white paper put out some four years ago which spelled out the government's intentions to restructure the electricity sector. Just prior to that, Mr Speaker, in case he only listens to Liberals or something, five years ago the Honourable Donald Macdonald, the former federal Liberal finance minister, did a royal commission which led to the development of the white paper. Actually, Donald Macdonald wanted to divide up the old Ontario Hydro into small little bits and sell it off immediately.

We've taken five years to do it right and to protect the people of Ontario and to make sure that we have a wonderful future for jobs, the lowest possible electricity rates and no more boondoggles like \$38 billion worth of debt, which is unconscionable for any government to leave behind and which mortgages the future. We have a plan. It has been out there since Donald Macdonald five years ago, the white paper four years ago, and there's been lots of debate.

The Speaker (Hon Gary Carr): The minister's time is up.

1520

REAL ESTATE INDUSTRY

Mr John O'Toole (Durham): My question is to the Minister of Consumer and Business Services. I was pleased earlier today that you introduced a bill proposing changes to the Real Estate and Business Brokers Act. I can't miss this opportunity to mention that consumer protection is a top priority for you—I know that personally—for this government and certainly for Brett Puckrin from the Durham Region Real Estate Board as well as Cail Maclean, Ted McCracken, among many who are very interested in consumer protection. However, I think there has been a lot of debate regarding lawyers and their role in selling real estate. Minister, can you tell us if in fact lawyers can sell real estate in the province of Ontario?

Hon Norman W. Sterling (Minister of Consumer and Business Services): I think it's important to get this particular part of this relationship out into the public. Presently, there are two parties involved in the sale of real estate. There is the profession of lawyers and there is the real estate industry.

The real estate industry, run by brokers and the people who work for the brokers, shows the property, usually

draws up the agreement and follows a number of rules to which there are, under this new act, significantly increased penalties. The lawyers close the transaction, they look at the title and that kind of thing. But outside of that, too, lawyers have the ability to buy or sell real estate if a client walks into their office and says, "I want you to act on my behalf."

So this act doesn't really change the historic relationship between the real estate brokers and our legal profession.

Mr O'Toole: Thank you for that response, Minister. I know a great deal of consultation has gone into the development of this legislation, and I'm sure the legal community has had time to express their concerns with you personally.

I've heard from the legal community as well, and they have told me they have always been able to sell real estate. They're concerned that under this new legislation they would be unable to operate as real estate agents unless of course they're registered. Minister, how would you respond to their concerns as legal professionals selling real estate in this province?

Hon Mr Sterling: There is a small number of lawyers in Ontario who wanted to not only act on behalf of clients or act in terms of buying and selling real estate which was incidental to their principal cause for dealing with a client but wanted to also act as a broker at the same time.

Under the Real Estate and Business Brokers Act, there are a number of protections for the consumer that are not there with regard to the legal profession. So therefore we believe that if a lawyer would like to sell real estate as a broker, they should become a broker as well as becoming a lawyer. There's nothing to prevent that from happening.

I want to make it clear that this act allows a lawyer to buy and sell property on behalf of a client as long as it's incidental to his legal business, which has really been the historic case here in Ontario with regard to the legal profession.

HOUSING POLICY

Mr Michael Bryant (St Paul's): My question is for the Premier. It is with respect to a private bill—not a private member's bill but a private bill—brought by the city of Toronto which I have sponsored before the private bills committee.

The bill received unanimous support from city council two years ago. That was the democratic way. It then was the subject of negotiations between the city and the Ministry of Housing for some two years. It went to the private bills committee. There was a full debate, as much debate if not more than every other private bill that is before this House. The Ministry of Housing indicated that it did not oppose the bill. It passed the private bills committee. It then joined all other private bills on the order paper that will be coming up on the last day that this House is in session.

We now learn, Premier, that you have decided to send this bill to the gallows, to bury it. Who gave you this presidential veto? Who gave you this divine right of decree that vetoes the democratic process of this Legislative Assembly?

Hon Michael D. Harris (Premier): I think the minister can respond.

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): Let me first point out that before the member of the opposition starts going on about divine decree, he should take a look at his own record on this. This is a private bill which will have big impacts right across the whole province. Quite frankly, it does a disservice to this Legislature to try to bring a bill of this magnitude in and pass it without any debate in this Legislature.

I would encourage you to bring forward next spring, on behalf of the McGuinty Liberals, your housing policy in a private member's bill calling for what you'd like to see done around the demolitions.

Mr Bryant: That is a crock. He knows it, I know it and everybody in this House knows it. Ms Mushinski brought in a private bill on behalf of the city of Toronto that covered very similar issues. It had the same amount of hearings and it passed. Why have we got one set of rules for Tory bills and then one set of rules for the other bills? I say to all members of this House, how long is this going to last? When is this one-person rule going to stop? How long are we going to have a legislative system that everybody thinks is a charade?

It passed through the Legislative Assembly. The Minister of Housing's representative, the parliamentary assistant, said that they do not oppose the bill. They had an opportunity at that point to raise these objections and they didn't. This is a poke in the eye to the people of Toronto. This is a pernicious poke in the eye to the city council of Toronto. This is a despotic corruption of our democratic process and I say—

Interjections.

The Speaker (Hon Gary Carr): Order. You need to withdraw the word "corruption," please.

Mr Bryant: Withdrawn.

I say to the housing minister, why did your ministry say last week that it didn't oppose this bill, with no objections whatsoever at the time, and today—

The Speaker: Minister?

Hon Mr Hodgson: If you want me to carry on and be an actor, I'm not. I got elected to try to represent the people of this province and I've been given the honour of being the minister. I think this bill has ramifications that should be debated. Why are you afraid of open debate on your ideas and the McGuinty policy on housing before this House? I understand there are three private bills that will have an impact on public policy that you don't want to debate in an open forum in this Legislature by bringing forward your own bill. We're not saying we're opposed to it today or in favour. We think this bill needs debate. Why are you afraid of debate in this Legislature?

HIGHWAY 8

Mr Wayne Wettlaufer (Kitchener Centre): I have a question for the Minister of Transportation.

Interjection.

Mr Wettlaufer: Yes, I know you don't want it. This is my favourite subject.

The people of Kitchener and the surrounding area have had a lot of frustrating concern about the lengthy delay surrounding the upgrading of Highway 8 coming into Kitchener from Highway 401. Kitchener is one of the fastest-growing communities in Ontario. It is one of the most important economic units in the province of Ontario. The congestion is a significant concern and it's putting many drivers at risk of serious accidents. Minister, how much longer do we have to wait for the widening of Highway 8?

The project was scheduled for construction this year, but was delayed due to an Ontario Municipal Board hearing. With that cleared and the project on high priority, how much more time do the citizens of my community have to wait, knowing that the congestion will not soon go away?

Hon Brad Clark (Minister of Transportation): As my colleague is well aware, phase one of the improvements to the Kitchener-Waterloo Expressway was completed last summer. My ministry has been working hard to complete the second phase of this project, which is the widening of a section of Highway 8 and the reconstruction of the Highway 8 and Kitchener-Waterloo Expressway interchange. In preparation for phase two, we have completed the project design, we have completed extensive utility relocations and we have obtained environmental clearances.

My ministry recognizes this project as a priority and I'm pleased to report that it is proceeding through the appropriate processes. I'm optimistic that final approval will be forthcoming.

Mr Wettlaufer: Well, Minister, the construction wasn't completed last summer on phase one; it was completed the summer before. Phase two was supposed to be totally completed this past summer and it hasn't happened. So I'm still looking for an explanation on what will be done and when it will be done.

Hon Mr Clark: I thank the member for the question. My ministry is aware of the issue and the member knows that. We're now working to address the situation. The latest contract will be followed by further projects in a four-phase multi-year program. These projects will improve the level of safety by widening the highway from four lanes to eight, installing median barriers, building wider paved shoulders, reconstructing the Highway 8 and Kitchener-Waterloo Expressway interchange and improving the Fairway Road interchange.

I'm confident that these changes will reduce congestion, and we'll be getting on with the job as soon as possible.

Mr Wettlaufer: On a point of order, Mr Speaker: I'd like to have a late show.

The Speaker (Hon Gary Carr): The member can file the appropriate documents with the table.

1530

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): A question to the Premier: Bill 77 will for the first time in over 70 years guarantee adults adopted in Ontario and their birth parents a right afforded to all other Ontarians. Bill 77 will end the legal discrimination against adult adoptees by giving them equal rights of access to their own original statements of birth. The bill has now gone through public hearings and the amended bill is on the order paper today. My question is, do you support the right of adult adoptees and their birth parents to have access to information about themselves?

Hon Michael D. Harris (Premier): I think the minister can respond.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): I certainly understand, as I know members on all sides of this House understand, that people wishing to access their adoption records face many hurdles in Ontario. This is an issue that concerns a good number of constituents in all parts of the province. I've supported more discussion on this important issue and I see many merits in the proposal the member brings forward.

We certainly were supportive of the bill going through second reading so that it could go to committee hearings and get some further input. Some have brought forward some concerns with respect to privacy, most notably the Information and Privacy Commissioner, and there are some concerns among some members of this Legislature on all sides of the House. They've input suggestions we're giving thought to.

Ms Churley: Minister, the bill is on the order paper today. This bill, as you know, is about human rights. It's about stopping the shame and secrecy around adoption. It's about healing pain and suffering and it's about people's health and well-being. You know legislation like this is in place in jurisdictions all across the world, including places in Canada. You know I dealt with the privacy concerns by the contact veto in my bill. You know that the majority of legislators in this place support this bill and that the majority of people support this bill. The bill is before us today. You can heed the majority today and allow this bill to go ahead and be voted on. Minister, the time has come. Will you agree today to pass this bill?

Hon Mr Baird: It's not for me as one member of this Legislature to determine what bills pass and what bills don't pass. I know there will be ongoing discussions, as there always are in every session of the Ontario Legislature, with respect to what bills are called for reading and in terms of what debate would be available. I know this is a very difficult issue. I congratulate the member opposite for her strong leadership in this regard. It's not

one, I know, where I know she has taken on a partisan aspect.

The member opposite said this bill is used in other jurisdictions. In fact, in Newfoundland it's before the Legislature. In fact, in British Columbia they don't have a contact veto; they have an information veto, which is something quite different from what her bill contemplates.

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Premier. We're in our final hours of an opportunity to ask you about Ipperwash. You are aware, Premier, of the serious questions that have been raised about Ipperwash and your personal role in the events. While a civil case is proceeding, it will not answer the key questions the public have. Until a public inquiry is held, this will remain a wound on Ontario that won't heal. Your successor is going to face an extremely difficult situation. The demands for a public inquiry will not quit.

Your legal bills alone in the civil case will be well over \$1 million, and Mr Runciman and Mr Hodgson will be facing similar legal bills. A civil case increasingly will be proven to not provide the answers the public wants. In your final hours, Premier, will you do the appropriate thing and agree to call a public inquiry into the events surrounding Ipperwash?

Hon Michael D. Harris (Premier): As you know, I've responded to this question on many occasions. You know I am one who is anxious to make sure that the public and the George family have access to the truth and the whole truth in these matters. We have the case, as you know, right now. I want to tell you that I appreciated the opportunity to be able to put forward my side, to reiterate for the record, as I've said all along, that there was no interference into the command decisions, confirmed some time ago through the court documents from OPP officers, including those of the former commissioner and the incident commander.

This court case is proceeding. There are many other people involved besides myself. It certainly remains the position of this government that it should proceed. If at the end of that there are still questions that are unanswered, then that would be the appropriate time for us to take a look at that.

Mr Phillips: I'll have the page send over to the Premier the questions that will not be answered in the civil case. You know the George family has been writing to you and has said they would drop the civil case in a moment if you would agree to a public inquiry. We will only find out the truth through a public inquiry.

I say again to you, Premier, that serious questions about your personal involvement—and other ministers'—have been raised, with considerable evidence. The questions I've sent over to you today are not going to be answered in a civil case. Time will go on and taxpayers' money will be spent and, in the end, if you persist in

insisting on not having a public inquiry, when the civil case is over, the exact same demand will be forthcoming for a public inquiry to answer the essential questions. But millions of dollars of taxpayers' money will be spent in the interim without getting at the answers.

Premier, the only way we will get at the answers is with a public inquiry. You're the one who can make that decision now. It should not be left to your successor, because I assure you that the public will demand it from your successor. So I say to you, Premier, will you do the appropriate thing before you step down as Premier and call a public inquiry to ensure that the truth comes out about Ipperwash?

Hon Mr Harris: The member will know that the questions the George family wishes answers to are the very questions in the matter of the court case. I don't know why you don't have confidence in the judge. I don't know why you don't have confidence in our court system. I can tell you that I did the appropriate thing in September, I continue to do the appropriate thing now and I'll continue, as will my successor, to do absolutely the appropriate thing.

WASTE DIVERSION

Mr Frank Klees (Oak Ridges): My question is to the Minister of the Environment. I had the pleasure of participating in the debate on the Waste Diversion Act, Bill 90, which you introduced on June 26 of this year. Unfortunately, during the more than seven hours of debate on this bill, both the Liberals and the NDP repeatedly tabled motions in this House that delayed the debate and during that time didn't even take the opportunity to speak to the contents of that bill.

Minister, I ask you to take the time now to explain to members of the opposition why it's important to pass this bill in this session.

Mr James J. Bradley (St Catharines): You're just putting on a show for the people there and there.

The Speaker (Hon Gary Carr): Member for St Catharines, please come to order.

Interjections.

The Speaker: Stop the clock, please. Member for St Catharines, please come to order.

Interjections.

The Speaker: Order. The member for Hamilton, last warning or you're going to be thrown out. Come to order in here. We're at the end of the session. We're not going to carry on like that.

Sorry for the interruption. Minister of the Environment.

Hon Elizabeth Witmer (Minister of the Environment): Bill 90 is a very important bill. It is a bill that has very strong support from all of the stakeholders in this province. It is a bill that for the first time in the history of this province will enable industry and municipalities to partner in creating a sustainable waste diversion system. It provides the tools to ensure that we can surpass our goal of 50% waste reduction. It provides the financial

resources to help the municipalities achieve that goal. More importantly, it will enable us to further make sure that we divert dangerous materials such as scrap tires, used oil and household special waste that can seriously harm our environment if not properly managed.

1540

Mr Klees: It sounds as though a lot of people would stand to lose if we don't pass this bill in this session. It sounds also, from the reaction of the opposition, as though they don't like the fact that we've exposed their delaying tactics on this bill. I would like to know, what are the stakeholders saying about these delaying tactics? What are the stakeholders saying about how important it is to pass this bill?

Hon Mrs Witmer: Tomorrow it is my plan to ask for unanimous support to pass Bill 90 so that we can get on with substantially increasing waste reduction in the province. As I said before, there is very strong support from all stakeholders—the business community, the municipalities. They are all very supportive. I'd like to recognize the president of AMO, Ann Mulvale, Howard Moscoe, Tim Moore, John Hanson, Michael Pratt; there are many stakeholders here. I hope that tomorrow we will all put politics aside and I hope we will do what is in the best interests of the people in this province and pass Bill 90 in order that we can protect our environment.

HIGHWAY FUNDING

Mr Sean G. Conway (Renfrew-Nipissing-Pembroke): My question is to the Minister of Transportation, and it concerns his capital budget. Not surprisingly, in recent days we have heard from the Chair of Management Board that due to the economic downturn, provincial government revenues are going to be less than expected for the coming year.

My question to you, Minister, is simply this. The 2001 Ontario provincial budget tells the people of Ontario and this Legislature that you plan to spend \$673 million on highway capital projects in southern Ontario. Can you stand in your place today and tell this Legislature that the forthcoming provincial government restraint program will in no way impair the \$673 million of highway capital that you had intended to spend in Ontario in the fiscal year 2001-02?

Hon Brad Clark (Minister of Transportation): I thank the honourable member for the question. We're on target with my budget. We're on target for our capital expenditures.

I would remind the member that since we were elected we've spent \$6.5 billion on highway improvements in capital. It's a record across the province, by far. We are extremely pleased with the fact that at the present day our highways are at a 92% optimal state of repair, which far exceeds anything the opposition parties have ever accomplished.

Mr Conway: Moments ago the member for Kitchener revealed a certain frustration about what is not happening with improvements to Highway 8. In my part of eastern

Ontario, in the upper Ottawa Valley, the very important improvements to Highway 17—the four-laning of that highway from west of Kanata to the town of Arnprior promised on the eve of the 1999 election to be completed by the fall of 2003—remain an exceptionally important priority for the business and general community.

We are just days away from hearing about a provincial government restraint program. You're pursuing a fiscal policy which is going to produce very significant consequences. You are determined to offer up a big corporate tax cut at a time when your revenues, according to the Chair of Management Board, are sliding by billions of dollars. The people of Arnprior, Renfrew, Pembroke and Renfrew county want to know today simply this: will the forthcoming provincial government restraint program in any way affect, delay or impair the completion of the four-laning of Highway 17 to Arnprior, promised by the Honourable Tony Clement two years ago for completion by the fall of 2003?

Hon Mr Clark: The Chair of Management Board would like to answer.

Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): As I said earlier this month, we are looking to all ministries to review all their spending and come forward, to look at various things, whether it's expenditure controls, revenue streams or looking at privatization. The challenge will be to do this with a balanced approach to make sure we take care of all the needs of the people in this province.

I wanted to answer this question earlier in the week. I can refer back to this flyer. Our problem is simply the fact that health pressures are here in this province. Obviously the federal government is not funding health. It used to be 50-50 back in 1974 and now it's a mere 14 cents on the dollar. Despite this publication they have, *Services for You*, where they say health care is "our number one priority," it obviously is not.

HMCS HAIDA

Mr Bart Maves (Niagara Falls): My question is for the Minister of Tourism, Culture and Recreation. My question is about HMCS Haida. You and I are both from Niagara. This is the tourism capital of Canada. We know a top-quality tourism destination when we see it. Most of us here have enjoyed visiting the Haida at Ontario Place, where it is certainly an impressive sight. Could you tell the House a little more about the significance of the Haida, and in particular its place in Canada's history and its future?

Hon Tim Hudak (Minister of Tourism, Culture and Recreation): I guess it was just a matter of time. To answer the member's question, the Haida is a Tribal class destroyer built for the Royal Canadian Navy and launched in 1942. In all, 27 of those ships were built, and they were built much stronger than other nations' ships to withstand our unique Arctic conditions.

The Haida's impressive war record includes escort duty on convoys to Russia, fighting German destroyers in

the English Channel in 1944, two tours of duty in the Korean War, and anti-submarine warfare during the Cold War. The Haida was decommissioned in 1963 and found its home at Ontario Place, beginning in 1971.

No doubt the member is right. It is a significant tourism destination that's a testament to Canada's naval history and a place for generations of Canadians to learn about that as part of our proud role in military history.

Mr Maves: Minister, thank you for that answer, but frankly it's not good enough. I believe you ducked the question. I clearly asked you what the future of the Haida was. Given the importance of the Haida, we certainly want to ensure it is preserved and maintained as a museum for future generations of Canadians to enjoy. Minister, come clean today. Stand in your place and tell the House about your secret plans for the future of the Haida.

Hon Mr Hudak: There are no secret plans for the Haida. I want to get that on the record. All members of this House want to see a healthy future for the Haida. Because of its role in our national history, we agree with the federal government that it would make sense to have it housed under the federal umbrella of Parks Canada.

One suggestion we've worked on with the federal government and the Friends of HMCS Haida is to pursue the transfer of the Haida to Parks Canada which would move it to a new home in Hamilton harbour. My ministry has commissioned studies to see that, if this option were pursued, the Haida could have a safe journey to her new home. I must say, though, contrary to media reports and perhaps confusion from the member, no final agreement has been reached on this. We're still exploring options.

It would be helpful to have better communication from Parks Canada and from Minister Copp's office to see if this is a plan we want to go ahead with. Contrary to the Spectator article, no plan has taken place. But I think it's important for both levels of government to look at all options to ensure that the Haida can find safe harbour for generations to—

The Speaker (Hon Gary Carr): Thank you.

1550

HOUSING POLICY

Mr Michael Prue (Beaches-East York): My question is to the Minister of Housing. You answered a question from Mr Bryant earlier today. It was in response to his private member's bill. I have to say I did not find your answer very satisfactory. What has happened in this House since the year 1999? On December 8, 1999, two years ago this week, Rosario Marchese stood up in this House and put forward a private member's bill which dealt with exactly this issue. That bill, Bill 30, was dealt with by this House in the year 2000 and was defeated precisely on this issue.

The city of Toronto then came forward and unanimously requested the right to control demolition within the city of Toronto, a responsibility which they had, a responsibility which they exercised until 1999 with the

advent of the tenant control legislation. The city of Toronto is seeking to safeguard affordable homes within the city of Toronto, not in the other municipalities in this province. More than a dozen people showed up for the private member's bill to speak in support. Your own parliamentary assistant spoke passionately in support. He cited the 2.5 million people of this city and he cited the fact that it was the largest city and they knew what they were doing.

Minister, with a vacancy rate of 0.9% in Toronto, with no new housing having been built for five years, with soaring rent increases, why are you caving in and leaving thousands of families at risk of homelessness?

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): I think the member of the third party has already indicated that there is a proper procedure. His party already did that. They brought forward their housing policy, it was debated in this House, and that's what we're asking to happen with this. There are three private members' bills that are coming forward that should have more debate. We're recommending that Mr Bryant from the Liberals bring forward the Dalton McGuinty housing policy on demolition and we have a full debate in this Legislature.

Mr Prue: Mr Minister, today I listened for 20 minutes while the Premier outlined his legacy and what he thought he was doing for the people of this province. On his last day in question period, with you sitting there beside him, are you going to let his legacy regarding this private bill be 1,114 tenant households who are going to lose their homes? Are you going to let his legacy be 2,400 homes that are going to be converted to condominiums? Are you going to let his legacy be one of housing failure?

Mr Minister, I am asking you to have the same passion as your parliamentary assistant and to stand there and say once and for all that you want to protect the homes of the people of the city of Toronto who are about to lose them, you want to do it now, and it's too late to wait for the spring for those 4,000 or 5,000 who are going to be on the street.

Hon Mr Hodgson: Mr Speaker, I realize that they're against full debate, but their party has already done that and I'm asking the Liberals to do the same—bring forward their housing policy and have a full debate.

But I find it ironic that you're talking about affordable housing when you were a member of a council that voted specifically to tax rental housing at 4.7 times that of residential. You voted for that. You're on the record, and that's part of the damage that we're trying to undo as a government to get more rental housing in this province.

COMMUNITY CARE ACCESS CENTRES

Mr James J. Bradley (St Catharines): My question is to the associate minister of health, and it's regarding her Bill 130, which is designed to muzzle those who would speak out on behalf of the frail elderly and those needing home care.

The St Catharines Standard says, "Cathy Chisholm, outspoken chief executive officer of Access Niagara, was recently forced out of her job, the Standard learned Monday."

Board chairman Ross Gillett "said he was 'diametrically opposed' to the new direction of the board"—and he has resigned. He said, "One of the concerns that people have is the opportunity for input from the clientele of CCACs would seem to have been reduced to almost nil under the new bill."

Minister, those who have been fired appear not to want to speak now about their firing or about the underfunding of community care access centres. Is one of the conditions that you have imposed on those who have been fired that they must, if they wish to get their severance, remain silent for a period of time and not speak out on behalf of the clientele, and isn't it becoming obvious with this firing and these resignations that the real purpose of Bill 130 is to muzzle anybody and everybody who is prepared to advocate on behalf of the frail elderly and others requiring home care?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): In 1994, when I was thinking about politics, I got involved with a man named Mike Harris. This is the last week in the House for Mike Harris as Premier, and I want to say before I finish that I'm proud to have been part of the Mike Harris government and I'm proud of the work that Mike Harris did to make Ontario a better place for my children.

When it comes to community care access centres, we have every intention of taking many of the people who are on the board now and asking them to be reappointed to the new board. We have every intention of working with the communities to make sure there's strong community involvement on the new CCAC board.

We have a commitment to ensuring we have the best community services anywhere in Canada. Everyone in this House knows we're doing it without a national home care program; we're doing it without one cent from the federal government. We continue to invest. This area has increased by 72% on average across the province. It's the fastest-growing health care area, so I don't know how there could be criticism about it. It's a wonderful program that isn't offered in many other provinces across Canada, and we're going to make sure it's sustainable and offers great services to the people of Ontario.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: In light of the Minister of Municipal Affairs' statements about Pr22 and his apparent desire to debate the legislation, I seek unanimous consent to introduce a motion that would allow the House to sit tonight for the purposes of debating Bill Pr22, a bill introduced by Mr Bryant.

The Speaker (Hon Gary Carr): Is there unanimous consent? I'm afraid I heard a no.

Mr Duncan: On a point of order, Mr Speaker: In light of the member for Oak Ridges' concerns about Bill 90, the government's waste diversion bill, I seek unanimous consent to have the House resume sitting next Monday

for the purposes of debating at second reading, to complete the debate on second and third reading of Bill 90, the government's waste diversion bill, and other government legislation. We in the official opposition are prepared to make sure that bill gets passed if it has proper debate time in the House.

The Speaker: Is there unanimous consent? I'm afraid I heard a no.

VISITORS

Mr Alvin Curling (Scarborough-Rouge River): On a point of order, Mr Speaker: I'd like to recognize an individual who represents the greatest people in this country and of Jamaica, Consul General Stewart Stephenson, who is in the visitors' gallery today.

PETITIONS

HOME CARE

Mr Rick Bartolucci (Sudbury): I have a petition to the Legislative Assembly of Ontario. I want to thank Wanda Eurich for collecting the names on this petition because it's a very important petition for the associate minister of health to hear.

"Whereas the need for home care services is rapidly growing in Ontario due to the aging of the population and hospital restructuring; and

"Whereas the prices paid by community care access centres to purchase home care services for their clients are rising due to factors beyond their control; and

"Whereas the funding provided by the Ontario government through the Ministry of Health and Long-Term Care is inadequate to meet the growing needs for home care services; and

"Whereas the funding shortfall, coupled with the implications of Bill 46, the Public Sector Accountability Act, currently before the Legislature are forcing community care access centres to make deep cuts in home care services without any policy direction from the provincial government;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Legislative Assembly direct the provincial government to take control of policy-setting for home care services through rational, population-based health planning rather than simply by underfunding the system; and

"(2) That the Legislative Assembly direct the provincial government to provide sufficient funding to community care access centres to support the home care services that are the mandate of community care access centres in the volumes needed to meet their communities' rapidly growing needs; and

"(3) That the Legislative Assembly make it necessary for the provincial government to notify the agencies it

funds of the amount of funding they will be given by the government in a fiscal year at least three months before the commencement of this fiscal year.”

I’m going to sign this petition because I agree with it and I’m going to give it to Andrew to bring to the table.

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): I have hundreds of signatures on these petitions to the Legislative Assembly of Ontario, and they read:

“Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

“Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

“Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

“Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

“We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to: permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person’s amended birth certificate when the adopted person reaches age 18; permit adoptive parents unrestricted access to identifying birth information of their minor children; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party; replace mandatory reunion counselling with optional counselling.”

I will affix my signature to this petition.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: I seek unanimous consent that, notwithstanding the standing orders, we continue the time for petitions until it is finished.

The Acting Speaker (Mr Bert Johnson): Is there consent? There is no consent.

PROFESSIONAL LEARNING

Mr John O’Toole (Durham): I’m pleased to present a petition on behalf of the member for Peterborough, the Honourable Gary Stewart. He has received this from his constituents. I might add, I’m also presenting it on my own behalf from the teachers in my area of Durham. A petition to the Legislative Assembly of Ontario:

“Because we, the undersigned, believe in our responsibility as teachers to maintain a high degree of professionalism; and

“Because such professionalism is best served when professional training is self-directed and based on teacher need, improves professional skills, improves student learning, is based on best practice accountability and is funded by the appropriate educational authority; and

“Because we oppose the government’s teacher testing program and the College of Teachers’ professional learning program because they do not meet the objectives of effective professional training,

“We, the undersigned, respectfully request that you repeal all clauses and references to professional learning from the Stability and Excellence in Education Act, 2001.”

I’m pleased to present this petition on their behalf.

The Acting Speaker (Mr Bert Johnson): Pursuant to standing order 30(b), I am now required to call orders of the day, so I do call orders of the day.

1600

ORDERS OF THE DAY

SUPPLY ACT, 2001

LOI DE CRÉDITS DE 2001

Mr O’Toole, on behalf of Mr Flaherty, moved second reading of the following bill:

Bill 149, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002 / *Projet de loi 149, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l’exercice se terminant le 31 mars 2002.*

The Acting Speaker (Mr Bert Johnson): Debate?

Mr John O’Toole (Durham): It is indeed my pleasure at this late stage of this House sitting and conducting business to be able to speak on behalf of the government. I’m here to speak about the proposed Supply Act, constituting the statutory authorization of the Legislature of the government’s spending program for the year. I believe it is one of the most important bills passed in the Legislature as it has far-reaching implications for the people of this province.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Perhaps the initial speaker should put forth an agreement as to the distribution of time in terms of the respective caucuses, the government having made a commitment to relinquish a portion of their time so that other caucuses could have a sizier portion so that we could accommodate Her Honour, the Lieutenant Governor.

The Acting Speaker: I’ll allow a couple of minutes to get this sorted out.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, it was my understanding that we did have an agreement from all three parties to shorten the time so that we could be done for Her Honour at 5 o’clock. If we need a quick recess just to

confirm that with the Clerks for process, I'd be quite happy to do that.

The Acting Speaker: I'm at a loss, because the only way I can confirm any agreement is by unanimous consent.

Is there consent for a motion for the dividing of time? Agreed? Agreed.

The Chair recognizes the government House leader and Minister of Education.

Hon Mrs Ecker: I would like to move that the time on this particular debate—and I'm not going to get the wording quite right—be split equally among the three parties leading up to 5 o'clock. Is that correct with the table?

The Acting Speaker: Mrs Ecker has moved a motion, and it will go into the record word for word, but I don't have it.

Is it the pleasure of the House that the motion carry? Agreed? It is agreed.

The Chair recognizes the member for Durham.

Mr O'Toole: Obviously, that's a code message for "be brief."

Without spending authority, most payments to the broader public sector cannot be made. That includes nursing homes, hospitals, doctors, municipalities, general welfare recipients, children's aid societies and suppliers' accounts.

Let me remind you of the heroic efforts of the members of the broader public sector who serve not just the members of the Legislature but indeed the province of Ontario: the police and firefighters who risk their lives to help citizens in emergency situations; the teachers and professors who educate our youth and prepare them for a future of endless possibilities; the social workers who go the extra mile to help those who need special care; and of course the doctors and nurses and other health care providers and professionals who take care of us and our families, from newborns to the elderly.

As a responsible government, it is our duty to pass the proposed Supply Act as part of the legislative process. A responsible government must be fiscally accountable for investing in priority projects that ensure a high quality of life for our children. Under this government, the evidence is clear that it has been and continues to be a great place to live, to work and to raise our families.

In the next 14 years, the population of this province will have grown to almost 14 million people. The 14 million people are going to need new schools, hospitals, social services, homes, transit and roads. As our Premier said, "It's time for us to stop and ask ourselves some tough questions." He has always said that what we really need to examine is that we have a strong economy that can sustain a strong and high quality of life. What kind of life do we want for ourselves and our children five, 10, 15 years from now? Will we live in cities or in suburbs? Will we take transit or will we drive? Will the roads be tolled or will they be packed and congested? What about the quality of the environment, the air and water and soil?

What about the quality of our lives? As you see, we have so many tough questions to answer.

But we do have a strategy in place, called Smart Growth. Our strategy is to invest in the future, and it is built on three founding principles: first, strong communities for our families to put down roots, giving us a choice in how we live—in neighbourhoods, not just in subdivisions; second, a strong economy that has the solid foundation for continued growth, competitiveness and job creation; and third, a clean, healthy environment with clean air and water and the open spaces for which Ontario is well known.

I can't emphasize this more. Growth management is a solid investment in our collective futures, one this government is responsible for. We have invested in the priorities of the citizens of Ontario and will continue to do so.

Through SuperBuild, we will invest \$1.9 billion in the province's infrastructure in 2001-02. Some examples are: \$906 million in the provincial highway program for the major expansion of northern highways, assessing new highway corridors and the completion of course of Highway 407 east; \$48 million in post-secondary education for the facilities renewal program and the apprenticeship enhancement fund; \$127 million in the environment and natural resources, including contributions to Ontario's Living Legacy, the largest expansion of parks and protected areas in the history of this province; \$162 million in the justice sector, including the construction and renewal of many courthouse facilities and the completion of five adult correctional facilities; \$38 million in community and social services to support the most vulnerable, including the expansion of community spaces for people with developmental disabilities, and the improvement of women's shelters; \$200 million in hospitals to support their restructuring needs. This government is investing in the responsibilities of this community through Smart Growth and SuperBuild initiatives.

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We're also continuing to invest in our health care system, one of this government's top priorities and, we know, a concern for all Ontarians. While the opposition would have you believe that tax cuts will create a negative effect on the health care system, we have actually increased health care spending by \$6 billion since 1995. In fact, as of September 30, 2001, the health base operating spending is now \$23.7 billion, an increase of \$0.2 billion since the 2001 budget alone. This is an increase of more than 35% or, as I said before, \$6 billion from the NDP government spending level in 1994, which, by the way, was \$17.6 billion.

When our government first took office, health care spending was 38 cents of every program dollar in 1995-96. In 2001-02, 45 cents of every dollar of program spending by this government will go to health care. In 1999, the government promised to invest \$22.7 billion in health care by 2003-04. This target will be exceeded in 2001-02, two full years ahead of schedule. The demands increase daily.

While health care continues to be a top priority for Ontario, these increases in health care spending are no longer a viable alternative. The government is devoting an increased share of its spending capacity to Ontario's health care system. The only reduction has been on the part of the federal government. We've heard this debated. They're only spending 14 cents on every dollar. We all know the Canada Health Act in the late 1970s was a 50-50 shared agreement.

This government is devoting an increasing share of spending to improve health care in Ontario. In 2001-02, Ontario received \$60 million less in Canada health and social transfer—CHST—funding than it did in 1994-95. That means that the federal contribution is now only 14 cents on the dollar, as I said before. The federal government has not delivered on their red book promise. They haven't delivered on any promises, actually, to establish national pharmacare programs or home care programs.

Right now, the province spends \$1.8 billion on the Ontario drug program and \$1.2 billion on the community access centres. The cost of both of these programs will continue to increase in the coming years, as our population ages. A recent study has shown that intergovernmental collaboration is much less evident than was anticipated with the social union framework agreement, SUFA. According to Professor Alain Noel, who wrote the study, "It," meaning SUFA, "has paved the way for new policy instruments that not only provide greater flexibility and control for the federal government, but also lessen its commitments." The federal government has lessened its commitment to the people of Ontario by not providing adequate funding for health care.

While placed with the entire burden of health care, the province is also ensuring the security of the people of Ontario. Border security issues are also critical to our economy. One quarter of Ontario's output is exported to the United States, and many Ontario factories depend on just-in-time delivery to import parts. The free movement of goods and services across secure borders must be preserved.

The Premiers of Ontario, Quebec and British Columbia have called for a North America-wide security perimeter. During the 2001 Ontario economic outlook, our finance minister, Jim Flaherty, challenged the federal government to commit to these initiatives. But while we wait for the commitment from the federal government, Ontario has moved forward in protecting the people of this great province. September 11 has made it clear that even the safe communities are fundamental for a strong economy, which is why our recent investment in Ontario security is more than \$30 million. Some of this funding will create an Ontario Provincial Police rapid response unit to combat terrorism threats, as well as anti-terrorism units to investigate and track down terrorism and its supporters; second, it will enable Emergency Measures Ontario to offer municipalities more help with community emergency planning; third, it will build anti-terrorism facilities for local police; and fourth, it will build an

emergency management training centre for firefighters and ambulance personnel.

Despite the current slowdown, Ontario's solid economic foundation will help us move forward with our initiatives, including increased spending on security, which in turn will also help stimulate the economy.

Let me leave you with a quote from Dr Sherry Cooper, the BMO Nesbitt Burns chief economist, who is commenting on increased security spending in the United States. She says:

"Government spending on defence, security and reconstruction will have a multiplier effect on the economy. And much of that government spending will have important spillover effects on technology spending. Enhanced capabilities in surveillance, identification, data storage and videoconferences are examples of the positive benefits likely arising from the thrust of government initiatives."

I certainly believe this holds true for Ontario, and thanks to the sound economic foundations of this province, our Premier, Mike Harris, and our finance minister, Jim Flaherty, this government is on the right track. We're helping the people of Ontario. We ask for your support on this motion today.

Mr David Caplan (Don Valley East): On behalf of the people of Don Valley East, it is a pleasure to address Bill 149, the supply bill. It's a spending bill. It outlines all the provincial government's spending priorities and, on the back page, in schedule A, it lists all of the various ministries through the estimates procedures, where they're planning on spending the taxpayers' dollars. It's very interesting some of the things that are contained within the estimates and within the spending program and policies of the Harris government, but also interesting is what's not contained within this particular bill.

Some of the interesting items that are not in here would be what my leader, Dalton McGuinty, has been fighting for for quite some time now, and has highlighted over the past two days. The procedure to cure macular degeneration, a procedure called Visudyne, is not found within the government's spending priorities. What is found here is \$2.5 billion of partisan government advertising. Not found in Bill 149 are things like my private member's bill, which I introduced today, detailing and outlining a procedure for the Ministry of Transportation to be able to cure the highway noise problem that affects Don Valley East residents who live along the Highway 404, Don Valley Parkway and Highway 401 corridors. But what is found in this legislation is \$2.2 billion of corporate tax cuts and \$500 million for a private school voucher system. These are the spending priorities, both on the revenue side and on the expenditure side, that you will find in the budget and in the budget year 2001-02.

It's instructive to see what priority the government places on various items, whether it be health care—I just heard the last speaker complaining, wailing, whining about how there's not enough money. Yet when you look at the actions of the government to accelerate tax cuts to the tune of \$175 million, precisely the amount of money

that community care access centres—the North York Community Care Access Centre, by the way, is one of the worst hit in the province. They are short; they are falling into a deficit position. The government has decided they have enough money to be able to accelerate those tax cuts, to pay for partisan government advertising, to pay for the Premier's legal defence to fight the George family surrounding the events that happened at Ipperwash Provincial Park.

It's very instructive what is a priority for the government and what is not. Clearly the priorities are the Premier, his wealthy friends, the elite in this province—not working families, not people who are losing their sight and going blind, not the residents of Don Valley East who have to put up with the day-to-day noise and troublesome aspects of highway construction and alteration. These are the spending priorities of the government.

If I have a message to the members of this Legislature and to the people of Ontario, in particular in Don Valley East, it is that Dalton McGuinty and the Ontario Liberal Party have a plan. We have a plan for working families. Our plan for working families is not the priorities of the Harris government. It's not for the top 5%, for the wealthy, for the elite, for the Premier's legal defence, for the government's partisan political advertising scheme. It's not for their irresponsible tax cuts.

It's for health care services that families in Ontario can count on. It's for public school education, not private school education. It's for safe communities. It's for clean drinking water, clean air to breathe, safe food to eat. Those are the priorities of Dalton McGuinty and the Ontario Liberal Party.

I'm proud to reject and say no to Bill 149, to the Harris government and all they stand for, and to say yes to Dalton McGuinty and Ontario's working families.

1620

Mr Tony Martin (Sault Ste Marie): In the short time I have here this afternoon, the 10 minutes on this supply motion, I want to lay out very clearly the two different visions of Ontario unfolding before us in this place this day.

We have the Tory proposal, which is very simple and not hard to understand. Then you have a proposal put forward by the New Democratic Party that speaks about government taking leadership, getting involved, living up to its responsibility and being accountable to people for their faith and trust at the polls at election time.

This government has a proposal that suggests it's OK to spend public money to give tax breaks very directly to the corporate sector of this province and some of their wealthier friends. They believe that in doing that it will recession-proof the province and create economic prosperity and good times for everybody who calls Ontario home. We know now, six years after this government has had the reins, that in fact that's not working, that tax breaks do not create jobs, that tax breaks do not protect a jurisdiction from recession, that tax breaks simply give public money away.

This province has the capacity to provide services to people in a way probably no other jurisdiction in the world has, but this government has frittered that away. We have the capacity to raise public money in a way that reflects the very healthy economy we normally have in this province, particularly if we have a balanced understanding of the contribution that both the public and the private sectors give to the people and communities of this province, if we would only give the leadership and provide the level playing field.

This government believes it is more important to make sure their corporate friends and wealthy benefactors are looked after, and that in looking after them, they will in turn look after the rest of us. The debate is over as far as I'm concerned. We have now officially heard from all those people who are looked upon with some confidence to know that we have a recession coming at us, yet this government has no proposal, no plan on the table except to move forward aggressively and confidently with more tax breaks.

We're looking at having to cut \$5 billion out of the budget of the government. That means \$5 billion will come out of programs like education, health care, social services and the protection of the environment in this province. That's so we can afford to provide \$5 billion worth of corporate tax breaks out there to people in this province who will not have to worry, themselves, personally, about their health care or education for their children or social services or the protection of the environment.

I think that's wrong. I don't think that's in keeping with the notion and the understanding people have of this province and what it is we should be doing together, collectively, to make sure that we all benefit and that we can all participate.

I juxtapose that approach, that very narrow, tax-cutting agenda that has seen the Ministry of Economic Development and Trade, under the leadership of this government, reduce its ability, its capacity to respond, to act and to give leadership in communities where major industries are going down and stress is high—there's a tremendous level of expectation in people that their government will come in and be a partner with them and be helpful in restructuring and righting their economic circumstances.

The Ministry of Economic Development and Trade, which is normally the ministry that's looked to for that kind of leadership and investment, has reduced its capacity, has reduced its budget, from 1995 to today, from over \$300 million to under \$100 million. As a matter of fact, in that ministry alone, which was looked upon in so many instances—I remember back in 1990-95, in my own community in particular—for capital investment, for partnering with the community to develop capital projects, to work with industry on capital investment so that they might position themselves to take advantage of any opportunity out there in an economy that still struggles to gain some life, to take advantage of new opportunities and to give people already struggling to innovate or

invest in new technology the support they need. Alas, the Ministry of Economic Development and Trade now has absolutely no money—zero, nada—in their budget for capital investment.

Interjection.

Mr Martin: No money, Minister of Community and Social Services, for capital investment within the Ministry of Economic Development and Trade. As a matter of fact, it said that this government is spending less money on capital projects in 20 years in this province.

We, as a party, are putting forward what I think is a very innovative, aggressive and confident proposal of things we could do. Everybody knows what they are, because we've been talking about them here for quite some time. We're proposing a sales tax cut, which we think will go a long distance toward encouraging people to get out there and spend some money and, in spending that money, stimulate the economy. We're suggesting that communities have developed projects around the SuperBuild fund that we've heard so much about, which has been on the table for at least a year and a half now, and have come forward thinking that the government was being serious about that fund, but we are still waiting and have nothing. As a matter of fact, it seems that the Minister of Northern Development and Mines is announcing new programs through the heritage fund every other week, when in fact they can't even get the programs they've already got in place out the door. I think you would have to excuse people who get a little cynical where this government is concerned.

So we're saying to the government, get the SuperBuild money out the door. Help those communities that will be affected by that. Flow that money so that local economies can feel confident this Christmas that there's money around, that it's OK to spend and that the future will indeed be bright once we get through these few rough months.

We're asking the government to put in place community adjustment funds that will help troubled communities and laid-off workers. The same as we did in the early 1990s when we were hit with a recession as government, we're asking this government to put in place programs that communities and businesses can access to help them through these very difficult times. We're saying, stop the privatization of Hydro, because when we look at other jurisdictions where that has been done, we know that all that results is higher energy costs, which will kill business and kill industry.

Last but not least, we're asking this government to please, in these times of great difficulty for workers out there, those workers who have jobs, who are working part-time, who are working in contract positions and who need a little help and stimulus, raise the minimum wage.

Do that and you will position this province to at least have some potential, some capacity, to work its way through these very difficult times that are ahead, to see a light at the end of the tunnel and be a partner in developing a new Ontario that believes we all have a responsibility to help each other, that government has a

responsibility to lead, to be involved and to invest in communities, and move away from this obsession with tax breaks for corporations and wealthy individuals.

Hon John R. Baird (Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs): I'm certainly pleased to have the chance to rise and speak to Bill 149, the Supply Act. This legislation, while routine, is important because it allows the government of the day to authorize the expenditures of certain funds to meet the payroll of the public service and to provide the services and supports that we do with the Ontario government.

One of our responsibilities as MPPs is to go back to our constituencies, listen and learn and bring what we learn back to debates and discussions here at Queen's Park. Recently during constituency week, in my community we had a number of town hall meetings in Metcalfe and Manotick, and the undoubted priority issue for the people in Nepean-Carleton continues to be health care, preserving and enhancing the important health care system we've built up in recent years.

I heard a lot of concerns in my constituency about the Ottawa Hospital, and that's something our government has been working very hard on in the past six months. Back in June, we announced the intention to appoint a supervisor, and we appointed someone of great integrity and experience working not just in the area of provincial government, but more closely with respect to health care and hospitals, Dennis Timbrell, to come in and look at what we could do to deal with what was one of the biggest challenges faced in any public sector organization other than the former Ontario Hydro.

1630

The Ottawa Hospital, at the time of Mr Timbrell's appointment, had the biggest public sector deficit of any public sector body in Ontario. Under his leadership, they're beginning to turn the hospital around. With that renewed confidence, we were prepared as a government, and this bill will permit it, to come forward with an additional \$47 million of base funding increase.

That \$47 million, Mr Speaker, to put it into context for you and your constituents in Stratford and for my constituents in Nepean-Carleton, is the biggest base budget increase any hospital had ever received in Canadian history, I understand. I was certainly pleased to work with my colleague the Minister of Health, Tony Clement, on that important initiative.

The supervisor, Dennis Timbrell, I should put on the record, is doing an absolutely outstanding job for everyone in Ottawa-Carleton and in eastern Ontario, and is close to being able to announce a plan where they'll be able to balance the budget and secure the long-term financial health of the hospital, without compromising patient care and patient services.

Indeed, the only thing that he's announced since he was appointed as the supervisor of the Ottawa Hospital has been layoffs of administrative staff. We strongly support making sure that is the first area that's looked at, and

not areas with respect to patient care. That project is going on with great enthusiasm.

The Queensway Carleton hospital, another big, important priority that this budget will help continue to fund, got a budget increase of \$12.9 million. There was an expansion of the hospital planned in the 1980s that, regrettably, was cancelled. We're playing catch-up there, but progress on that expansion is continuing under the leadership of a great group of people.

The Royal Ottawa Hospital, under this budget—another concern, with respect to mental health. Too often we forget the needs of our fellow citizens, friends or family with a mental health challenge. It got a baseline budget increase that was proposed that this bill will help pay for.

We were also able to announce a private-public partnership, a P3 project, this past Friday, that should revitalize the hospital and bring it up to standard. I was pleased to work with George Langil, Graham Bird and the member for Ottawa Centre. I should congratulate him for his leadership in working with the Royal Ottawa Hospital, which is a great community institution. George Langil and Graham Bird worked for well over a year, almost two years, to try to put together a good project where we could bring private sector money in to help construct a state-of-the-art mental health teaching hospital in my community. That'll be good news for people when it's able to open. I should acknowledge the strong support of Minister Clement and the Minister of Finance and Deputy Premier, Jim Flaherty, on that very important initiative.

This budget also allows a number of things that are dear to me to be paid. Supports to people with developmental disabilities: this year we announced a record increase to help people with a developmental disability—agencies in my community like Ottawa-Carleton Life Skills, under the leadership of Cathy Wood, a fantastic board and great staff who do a lot to provide supports to people with developmental disabilities, whether they be residential supports, day programs or supports to people leaving the school system. They were fortunate enough to get a budget increase this year as part of that revitalization effort, where we can revitalize agencies that need support.

Also, there is a group that serves my constituents, the Community Resource Centre of Goulbourn, Kanata and West Carleton. They're a group that works in the community to provide services and supports in a range of areas. One of the announcements we made in the budget was to expand services in the area of domestic violence. That agency will be building and operating a 25-bed shelter for women who have had to flee domestic abuse. I strongly believe that someone's home should be their sanctuary, their place where they feel safe and secure. For far too many women in this province and in my community of Nepean-Carleton, when they put the key in the door at the end of the workday, it's the beginning of fear. That's something that is unacceptable.

The investments that were made in the budget by Finance Minister Jim Flaherty, in both the developmental disability area and in the violence against women area, will help make that an important reality, those initiatives. I should also acknowledge the leadership of the Premier, in particular, on the developmental disability front. He certainly was a strong supporter of those initiatives.

When I visited my community, whether I was in Stittsville, Richmond, Barrhaven, Country Place or Bells Corners, everywhere I went, people said, "You've got to stay focused and ensure we continue to live within our means. Don't turn back the clock. Balanced budgets are incredibly important. We can't put at stake all that we've worked so hard for and go back into deficit." At the same time, in my community we've had a substantial number of layoffs with both JDS Uniphase and Nortel, and we've got to continue to stay focused on job creation and on economic growth.

That's why continuing to have a competitive tax environment, continuing to have a favourable research and development tax environment and continuing to have a favourable corporate tax environment are so important, so that when companies look at where they're going to make those financial adjustments, they continue to want to invest in Ontario, they continue to want to invest in Ottawa and in eastern Ontario. That's something that's incredibly important for me, for us and for people in my community.

Welfare reform has been another important area. This bill we're debating today will help make the payments of our welfare programs in Ontario. We've seen more than 600,000 people break free of a cycle of welfare dependency. That's good news for them and it's good news for the hard-working taxpayers who pay the freight. That hasn't happened by accident; it's happened because of the hard work and dedication of a whole lot of people, not just at the Ministry of Community and Social Services and not just at the Ontario disability support program offices, but indeed at the Ontario Works offices around the province operated by the municipalities, where 44 out of 47 municipalities made their work-for-welfare targets.

As I travelled around the province this past summer I heard stories, whether they be from the caseworker in Parry Sound, whether they be from the community agencies in Thunder Bay, whether they be from people who work here in the greater Toronto area, about the huge difference the welfare reforms are making and how they're improving people's lives and helping people realize the dignity that comes with a job and the pride that comes with being independent. The bill before us today will help continue to support the important programs for those in our community who are vulnerable, who need support, who realize that government has an important role to play to help those people who, often through no fault of their own, are having a bit of trouble and need a temporary hand up while they get their life back on track. That's why I'm pleased to be supporting Bill 149 and why I'll be voting for it this afternoon.

Mr Bruce Crozier (Essex): Today, in the short time that we have to debate this bill, I want to put this government's spending in context. I just received today from legislative research the Ontario debt and deficit from 1966 through 2002. During that period of time the Liberal government of the day, and that was in the late 1980s, ran up deficits of \$5.2 billion. Then followed the NDP. In their five years, their deficit accumulation amounted to \$47.7 billion. Now it's acknowledged that the debt of Ontario is in excess of \$120 billion. So if I take the NDP and the Liberal off that, it leaves \$71 billion of debt that Progressive Conservative Parties, Tory governments, have run up. The significant part there is that almost 30% of that was run up by this government that sits right across from us. They borrowed \$20 billion. Half of it was used for a tax cut. They went out and borrowed the money.

When Mike Harris sat down there as leader of the third party, he said, "You know, province of Ontario, you don't have a revenue problem; you've got a spending problem." Well, they went right out and borrowed money and spent money. I don't know that that's such a great record. I don't know that I would be particularly proud of it. At the same time, I recall the leader of the third party saying how they wanted to manage government like it was a business. I can't think of a business that is losing money that gives its shareholders a dividend, but that's the first thing this government did. It went out and borrowed money for a dividend.

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What has the result of that been? We have CCACs in this province today, the needs of whose citizens—and I'll take Windsor-Essex county as an example—are increasing. Our population is aging, our population is growing, and patients are being released from hospital sicker than they ever were before. So naturally the demand would go up from the needs of our community care access centres. What does this government do? It freezes it. It's almost as though the elderly aren't growing old and the sick aren't getting sicker. They just simply froze it.

What has that resulted in? Lineups. We have lineups, yet this government can go out and spend a quarter of a billion dollars on partisan advertising. They can go out and spend what might be upwards of \$500 million, half a billion dollars, for private education. But do they have any money for health care? Do they have any money for the sick who are coming out in our communities and where the community care access centres have to attempt to take care of their needs? No, they don't. All they do is say, "Line up, folks. We'll put you in this line over here because you need care and we'll put the profitable corporations in this province in this line over here. But we're going to give the profitable corporations a \$2.5-billion tax cut." That's just not fair.

Ms Shelley Martel (Nickel Belt): In the short time I have to participate in the debate on supply, I want to focus on two important health care issues. The first one has to do with this government's really negative decision to change the coverage for audiology services beginning

in August 2000, a change that was, first, that physicians had to be on-site in order to supervise all audiological testing. That has resulted in reduced access to diagnostic hearing tests, which has been clearly shown in the court case that was just completed at the end of November. There has been a 50% decrease in the number of people getting hearing tests. Second, the complete withdrawal altogether of OHIP coverage of hearing aid evaluations and hearing aid re-evaluations has had a particularly negative impact on seniors in the province and those who use cochlear implants.

What's shameful about the government's decision is that the government was clearly told that this would have a negative impact on children, on seniors, on people who have suffered industrial deafness, and they were clearly told that by the diagnostic hearing test subcommittee of the Physician Services Committee, which was charged with the task of looking at which services might be delisted.

Under their report number one of the schedule of benefits working group phase 3, it says under impact analysis, "The implementation of the short-term recommendations will restrict the provision of services and may result in reduced access to diagnostic hearing tests (longer wait) and existing arrangements between physicians and audiologists. The ministry will determine what funding, if any, will be substituted." Of course, there was no funding that was substituted, and people have continued to feel a very negative impact as a result.

Some of the problems include the fact that you now need a referral from your family doctor to an ENT in order to continue to get hearing tests covered. There's a shortage of family doctors in most communities in northern Ontario, 34 to be exact. There's an even greater shortage of ENT specialists, particularly in Sault Ste Marie and in Thunder Bay. One of the audiologists who was working in the Peterborough area made it clear that it is very difficult now for people to access the services because of the lack of physician referrals. He spoke specifically of the audiology program that was running at the Peterborough Regional Health Centre, which had to be cancelled because of this government's change in policy, and he made it very clear that this creates an inequity wherein patients in large urban centres have access to OHIP-insured hearing tests, while people in communities such as Peterborough either pay for tests to the private sector or have to travel great distances to teaching hospitals. Many patients can't afford these costs and therefore are forced to do without. He noted that not only did the program shut at the regional hospital, but all the clinics in Bancroft, Port Hope and Lindsay were also closed. So people now are having to travel to Toronto to get some service.

We had another individual, Cheryl Fallis from Bancroft, who wrote to Tony Clement on August 9, "We live in this rural area around Peterborough. Our closest access to major centres for health" care "follow-up is one and a half hours away." There is only one bus a day and you have to come back the next day. There is also a shortage

of ENT specialists. To get an appointment with an ENT in that area, it's taking between six months and one year. So clearly people in that region are dramatically affected.

Here's a letter from a pediatrician, Dr Burke Baird from Sudbury, who wrote to the Ministry of Health on September 28 and said the following:

"We live in a geographically large area and there is a significant lack of available ENT surgeons in our communities. Waiting lists for assessments are lengthy and will become even longer if we are forced to go through these offices for simple hearing testing.

"As consulting pediatricians, the members of my department assess children for developmental, speech and intellectual difficulties. We also follow children with complicated medical needs, many of which involve potential impact on hearing and related functions. I can guarantee you that this recent change in policy will have a severe impact on our ability to assess and monitor these fragile children."

One of the most telling responses to the government came from the ENT chiefs of staff from the five teaching hospitals, who met on September 4. The five chiefs of staff from the teaching hospitals said very clearly, "The executive was of the unanimous opinion that these directives need to be revisited given the significant potential negative impact they will ensure." That was directly as a result of them reviewing the government's changes to audiology.

We also have people with cochlear implants who have very specific needs and have to have a number of hearing evaluations and re-evaluations; and those are no longer covered by OHIP, courtesy of this government. We had a Catherine Luetke of Mississauga who wrote to Minister Clement in August and said:

"I am a teacher of the deaf and hard of hearing.... In the summer of 1998 I received a cochlear implant at Sunnybrook hospital and I'm so grateful for my new hearing.

"As the mother of four children, paying extra for the audiological services provided at my audiologist's office, who runs an excellent private business, would be unfair. I already have to pay for my cochlear implant cords, batteries and insurance on top of my family expenses."

What's interesting is that one of the experts who appeared on behalf of the government in the recent court case reversed his position with respect to this important issue. The ministry had him there ostensibly to support the government position. He came and under cross-examination said the following—this is Dr Hawke who is chair of the OMA ENT section:

"And having thought about it and having reconsidered it and having it pointed out today, it became apparent that there is probably a better solution for this problem.

"Question: For this problem being...?"

"Answer: Being providing hearing aid evaluations, you know, and that there is a specific group that is going to be disadvantaged and that that could be taken care of.

"Question: And the specific group is the...?"

"Answer: Those individuals with cochlear implants who require multiple hearing aid evaluations and hearing aid re-evaluations."

Even the government's own witness at the recent court case where audiologists and others are taking the government to court over this change has said that the government made a mistake. Again, that was one of the government witnesses, a Dr Hawke who was chair of the OMA ENT committee.

We know that many people, not only in northern Ontario but in underserved areas, have been severely, negatively affected. They are going without hearing tests. They are going without hearing evaluations or re-evaluations. It was wrong of the government to make this decision, particularly because the government has \$2.3 billion to throw around in corporate tax cuts and is saving a lousy \$21 million on some of these changes. People who need these services deserve better. The government should continue to fund these services.

The one other issue I want to address has to do with primary health care reform. The government is clearly putting all its eggs in the basket of its family health networks and I don't think the family health networks are going to provide adequate primary care reform to the thousands and thousands of Ontarians who need it. I don't believe they are going to work in terms of moving away from a strictly treatment model to one of health prevention and health promotion. Frankly, the current structure that the government is implementing in the family health networks doesn't do anything to incorporate the skills of other health care providers who should be involved in delivering primary care.

I think the government should focus on expanding the network of community health centres and aboriginal health centres that exist in the province of Ontario and I say that because they've been in existence for over 30 years now. They are proven in terms of costing less because everyone who works there is on salary; very effective in terms of recruitment and retention not only of doctors but other health care providers. They use the skills of nurse practitioners, nurses, dietitians, social workers, counsellors etc, and they as well are very effective in recruitment and retention.

It seems to me the government would be well advised to accept the report that has been given to them by the Association of Ontario Health Centres, a report entitled Community Health Centre Expansion in Ontario, A Business Case for Strengthening Community-Based Primary Health Care Services, that the government would be wise to invest \$115 million in new funding over the next three years to increase the number of new health care centres to 131, to expand the network of existing health centres to better serve the communities and also to have an evaluation of this project after the next three years to determine if we should increase our funding in this even more.

We know that there are now 21 health care centres that could expand within the next six months if this government would only provide the funding. In many under-

served communities, like my own, that would result in better primary health care, more physicians and more health care providers into a community that really needs it.

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The Speaker (Hon Gary Carr): Further debate? The member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you, Mr Speaker. I can barely say my name in the amount of time that's allocated for speaking. But I'm glad the Minister of Labour is in the House this afternoon, because I want to compliment him. I want to compliment him, first of all, for abandoning Conservative policy, the policy of the Harris government, on further tax cuts. He was, along with you, one of the original people who told Mike Harris and the whiz kids, "Look, you've got to wait until you balance the budget before you cut taxes." You were right, Mr Speaker; the Minister of Labour was right. He's right now when he says we can't afford more tax cuts in the province without going into a deficit position. He's right in saying that we need more democracy in this Parliament, that this government has held the backbenchers down for so very long. He is actually coming around on some issues. I want to compliment him. He may get some Liberal votes. I don't know how many Conservative votes he'll get. But he is modifying his position, and he deserves some credit for that.

Let me mention a couple of very significant issues that are before this House that I hope will be decided soon. One issue is the need for the Visudyne treatment for those with the wet form of age-related macular degeneration. Dalton McGuinty, the Leader of the Opposition, leader of the Liberal Party, again today addressed a question, this time to the associate minister of health, pleading with the government to get rid of the red tape that's stopping this, to appropriately fund it, to forget about the \$2.2-billion tax cut for the corporations, the income tax cut which favours the wealthiest people in the province and the tax credit for private schools, which is opposed by the Minister of Education but is imposed on her by the Treasurer of this province.

I also want to talk about the need for more services and accommodation for developmentally delayed and developmentally disabled people in our province, particularly as they become adults and become a challenge for parents who have looked after them as youngsters as they become older physically and still continue to have challenges which must be met. There's a need for more accommodation. It is not sufficient to have to have members phone the minister's office to try to assist in getting accommodation. Even though we appreciate the assistance, what is needed are more spaces and more services for these individuals.

I want to say that I'm very disappointed with Bill 130, which is a bill designed to muzzle those who are now sitting on the boards of community care access centres, the centres that provide home care for the frail elderly and others being discharged from hospital and other circumstances in this province.

In St Catharines, in Niagara, Cathy Chisholm has been fired out the door. The chair of the board, Ross Gillett, has resigned. Others have resigned from the board. There's apparently a muzzle out there, even on the people who are being fired around the province. The muzzle is that if you want this severance package, then you're not allowed to speak to the media or anybody else about the problems which exist. That's straight muzzling. I would hope that the minister of democracy, who was making his pronouncements yesterday to curry favour with the backbenchers in the Conservative benches, will go to bat for individuals who wish to make known their opposition to government policies and, better yet, wish to advocate on behalf of people who need home care in this province.

I want to say that hospital restructuring is a disaster in this province, that community after community now is having the bill sent—when the bill was, say, \$25 million, you know by now it's \$75 million. The government's running out to its friends in the private sector to try to get that money. We know this government is spending some \$250 million, that's a quarter of a billion dollars, on self-serving advertising. I think I have a copy in my desk somewhere of these pamphlets with the Premier's picture on them that cost hundreds of thousands of dollars. Millions of dollars are being spent on ads on television, and this is a government that preaches frugality to others.

I know that their school closings—and this is my entrée to the member for Hamilton East—are a real problem. An inflexible funding formula does not allow older schools, neighbourhood schools, to stay open. On that note, I want to pass it over to my friend from Hamilton East.

Mr Dominic Agostino (Hamilton East): I appreciate getting some time from my colleague from St Catharines.

This bill is about priorities. It is about government priorities; it is about the priorities this government has as they see fit to spend money in this province, I guess in comparison to the priorities of the opposition, the Liberals and Dalton McGuinty. Clearly, this is where we differ and this is where I'm glad we differ from those folks across the floor.

This is a government that believes it is appropriate to spend an additional \$2.2 billion on a corporate tax cut, not to bring us on a par with our neighbouring states—because we were already there; we were competitive—but to bring us 25% below the corporate tax rate of the bordering states that we compete with. This is a government that thinks it's more important to spend \$2.2 billion there than to ensure that the schools in our communities stay open. This is a government that believes it is acceptable in Ontario today to have school closures at an unprecedented rate, because you've set a funding formula that punishes schools in smaller communities, that punishes inner city schools, and through your policies this government is gutting the heart out of communities. There are community schools in this province that have been there for 100 years that are being forced to close

because of this government's lack of funding. These are the types of priorities we're talking about.

I raised today that in Hamilton, in my own community, in the first nine months of this year, 900 women were turned away from shelters. So far, up to the month of October, 900 women who went to a shelter or called to get into a shelter could not get in, in the city of Hamilton. It's a question of priorities. You're right. There is a choice in priorities here. Do we prefer to put that money into ensuring that women who leave an abusive situation have a place to go, or do we prefer to put it into corporate tax cuts? Do we prefer to put that money into ensuring our schools remain open, or do we put it into corporate tax cuts?

I have schools in my community where, when it rains, teachers have to move the desks where the kids are sitting because it's leaking on the kids' desks. Again, it's a question of priorities. This government thinks it's appropriate to spend \$500 million for tax credits for private schools in Ontario while our public school system is suffering. We don't have enough textbooks, we have large classrooms, we don't have enough computers or enough teachers, and we have buildings that are literally falling apart. It is a question of priorities.

We have a situation in my own community of Hamilton where we have a neonatal unit at McMaster, a world-class unit that does not have an intensive care unit for these kids. The kids have to be brought to London or Toronto or elsewhere across Ontario because this government doesn't see it as a priority to ensure that there's an intensive care unit at the neonatal department at McMaster University in Hamilton.

We have a situation where they've shut down the burn unit in London and the hospital in Hamilton. The burn unit at the General has 10 beds that are at capacity year-round. They've asked for 14 more beds to ensure that there are beds for someone who needs help. We serve a catchment area of two million people. Again, it's a question of priorities. This government thinks it's more important to give \$2.2 billion in corporate tax cuts than to ensure there is a bed for someone if they're burned and need that emergency help in a hospital across the province of Ontario. There is a lack of palliative care beds in our province, in our community. Again, it's a question of priorities. This government doesn't seem to get it.

But maybe there is some hope here, because as they're getting into the leadership fight to replace Premier Harris, they're all trying so hard to run away from this record. They're all trying so hard to say, "I don't really agree with everything that was done. I don't really think we did it the right way. I would have done it differently." I challenge the contenders for Mike Harris's throne to come forward and tell the people of Ontario which decisions you disagreed with—which tax cut decisions, which priority you thought was wrong—and how you would have done it differently. Because nobody said a word while they were sitting in that cabinet. Nobody had the guts while they were sitting in there to turn in the keys to the limo and challenge the decisions of government.

But now that they're running for Mike Harris's job, they're all pounding their chests. They want to be heroes and tell us, "Well, we would have been different." It ain't going to work. They're all the same. They were all there. They were all part of that decision. They are not going to fool Ontarians. People are tired of six and a half years of this brutal, oppressive government and the decisions they've made. I can tell you, they can play all the games they want in the leadership race; the gig's up and Ontarians have seen it. In a year and a half, they're out the door and they will be sitting on this side of the floor.

The Speaker: Mr O'Toole has moved second reading of Bill 149, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

The division bells rang from 1700 to 1710.

The Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hodgson, Chris	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Coburn, Brian	Kells, Morley	Stewart, R. Gary
Cunningham, Dianne	Klees, Frank	Stockwell, Chris
DeFaria, Carl	Marland, Margaret	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Tsubouchi, David H.
Elliott, Brenda	Mazzilli, Frank	Turnbull, David
Flaherty, Jim	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Witmer, Elizabeth
Gill, Raminder	Murdoch, Bill	Wood, Bob
Guzzo, Garry J.	Mushinski, Marilyn	Young, David
Hardeman, Ernie	Newman, Dan	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Curling, Alvin	McGuinty, Dalton
Bartolucci, Rick	Di Cocco, Caroline	McLeod, Lyn
Bountrogianni, Marie	Dombrowsky, Leona	McMeekin, Ted
Boyer, Claudette	Duncan, Dwight	Parsons, Ernie
Bradley, James J.	Gravelle, Michael	Peters, Steve
Brown, Michael A.	Hampton, Howard	Phillips, Gerry
Bryant, Michael	Hoy, Pat	Prue, Michael
Caplan, David	Kennedy, Gerard	Pupatello, Sandra
Christopherson, David	Kormos, Peter	Ruprecht, Tony
Churley, Marilyn	Lalonde, Jean-Marc	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Conway, Sean G.	Martel, Shelley	Sorbara, Greg
Crozier, Bruce	Martin, Tony	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 53; the nays are 38.

The Speaker: I declare the motion carried.

SUPPLY ACT, 2001

LOI DE CRÉDITS DE 2001

Mr Flaherty moved third reading of the following bill:

Bill 149, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002 / *Projet de loi 149, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2002.*

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Interjections.

The Speaker: Quiet, please. Same vote? Same vote.

Be it resolved that the bill do now pass and be entitled as in the motion.

COMMITTEE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): I would like to ask for unanimous consent to move motions without notice regarding Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons, and Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day, and that the questions on the motions be put without further debate or amendment.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed? Agreed.

Hon Mrs Ecker: I move that the order for third reading of Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons, be discharged and the bill be recommitted to the standing committee on justice and social policy for clause-by-clause consideration on Thursday, December 13, 2001, from 10 am to 12 noon; that the committee will report the bill to the House on Thursday, December 13, 2001, and at such time the bill will be ordered for third reading; and that when the order for third reading is called, the Speaker shall put the question immediately on third reading without further debate or amendment and without any deferral of the vote.

The Speaker: Dispense? Dispense. Thank you. There seemed to be consensus on that.

Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Ecker: I move that the standing committee on justice and social policy shall be authorized to meet from 10 am to 12 noon on Thursday, December 13, 2001,

for clause-by-clause consideration of Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day; that the committee will report the bill to the House on Thursday, December 13, 2001, and at such time the bill will be ordered for third reading; and that when the order for third reading is called, the Speaker shall put the question immediately on third reading without further debate or amendment and without any deferral of the vote.

The Speaker: Dispense? Dispense.

Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Ecker: Mr Speaker, Her Honour awaits.

Her Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took her seat upon the throne.

1720

ROYAL ASSENT

SANCTION ROYALE

Hon Hilary M. Weston (Lieutenant Governor): Pray be seated.

The Speaker (Hon Gary Carr): May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant (Ms Deborah Deller): The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 110, An Act to promote quality in the classroom / *Projet de loi 110, Loi visant à promouvoir la qualité dans les salles de classe;*

Bill 111, An Act to revise the Municipal Act and to amend or repeal other Acts in relation to municipalities / *Projet de loi 111, Loi révisant la Loi sur les municipalités et modifiant ou abrogeant d'autres lois en ce qui concerne les municipalités;*

Bill 145, An Act to amend the Occupational Health and Safety Act / *Projet de loi 145, Loi modifiant la Loi sur la santé et la sécurité au travail.*

Clerk of the House (Mr Claude L. DesRosiers): In Her Majesty's name, Her Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, l'honorable lieutenant-gouverneure sanctionne ces projets de loi.

The Speaker: May it please Your Honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002.

Clerk Assistant: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 149, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending on March 31, 2002 / *Projet de loi 149, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2002.*

Clerk of the House: Her Honour the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

Son Honneur la lieutenant-gouverneure remercie les bons et loyaux sujets de Sa Majesté, accepte leur bienveillance et sanctionne ce projet de loi en leur nom.

TRIBUTES TO HER HONOUR

Hon Michael D. Harris (Premier): I beg the indulgence of the House to say a few words regarding Her Honour.

My colleagues, it is my privilege to rise in the House today to honour Hilary Weston, the Lieutenant Governor of Ontario. I ask that the House join me in both recognizing Her Honour's accomplishments as Ontario's representative of the Queen and particularly in thanking her for working so hard on behalf of the people of this province in this vice-regal role.

When Her Honour was appointed in 1997, it was not long before people realized that this Lieutenant Governor did things differently. She moved the New Year's Day levy, for example, right away out of Toronto for the first time since Confederation, and I know the people of Kingston and of London in 2001 were delighted to have this levy in their home towns.

Very early on, our Lieutenant Governor made it known she was very committed to women, to children, to volunteers. Through visits to women's shelters in towns all across Ontario she's made a real difference in the lives of many. Her Honour's caring extends far beyond the confines of her office to the everyday lives of ordinary people. We need only look to the hundreds of other visits she's made for proof of this, visiting 87 communities from Sioux Lookout to Leamington, Kenora and Cornwall.

Her Honour also made children a top priority. The Lieutenant Governor established the Hilary M. Weston Foundation for Youth shortly after her appointment to office, and she donates her entire salary to this foundation. Through the foundation Her Honour launched First Connection, a student career development initiative, in 1998. This program places grade 12 students from across the province in companies as management interns for the summer, allowing them to gain knowledge and to gain experience and to gain contacts. On behalf of the 88 students who have benefited from participating in First Connection since 1998, I thank Her Honour for enabling them to gain the experience that influences their career and their education choices so positively.

The Lieutenant Governor's commitment to hard work is indeed unflagging. After five years of unrelenting ceremonial duties, making 44,161 appointments of notaries

and commissioners, signing 15,115 orders in council, being on duty every single New Year's Day, she is still the epitome of grace under pressure. What more can one say of a person who, after all this work, says, "I wish there were more days in a week or more hours in a day."

All I can say is thank you to our Lieutenant Governor. I thank you for caring so much. I thank you for working so hard. I thank you for representing all the people of Ontario, and Ontario itself, with leadership and dignity and with such respect for your fellow citizens. I do know that our province has been enriched by your contributions.

Might I also say to His Honour, congratulations to you too. You have been most supportive of Her Honour. You have played an important role in helping her carry out those responsibilities.

Your Honour, thank you.

Applause.

1730

Mr Dalton McGuinty (Leader of the Opposition): Colleagues, it is my distinct pleasure as leader of the official opposition to offer my warmest best wishes and my heartfelt thanks to Your Honour. As I was listening to the Premier, my only regret is that you have not been able to spend more time sitting in that chair. Never has this House witnessed such decorum as you've instilled here among us this afternoon.

Your Honour has had nothing short of a remarkable tenure in your office. On Monday in a speech to the Canadian Club, Her Honour said, "It is not the holder of the office who is significant, but the office itself." On its face, of course, Your Honour is correct. But I would add the following: the holder of the office can and does have great influence over the respect and esteem in which the office itself is held. What the holder brings to the office and how the holder exercises the privilege of the office greatly colours our perception of the office itself.

Your Honour, you brought much to the office of Lieutenant Governor of Ontario. You brought us warmth and grace and dignity and intellectual curiosity and caring and a determination to do good. Your conduct in the office, your record of service, has not only earned you high public esteem, but has raised the institution of the office itself. Your Honour's accomplishments as Lieutenant Governor are almost too numerous to list. As the Premier stated, it is our understanding that you have attended or hosted over 1,500 public events and greeted more than 35,000 guests at over 500 gatherings here at Queen's Park.

But it was not Your Honour's custom to simply wait for an invitation to be issued. You sought out the poor, the dispossessed, the marginalized. Your Honour went where she felt she was needed. Her Honour had a special empathy for battered women and women's shelters. She also used her office to celebrate volunteers by instituting the Lieutenant Governor's Volunteer Award, which will be a lasting legacy of your time in office.

Your Honour devoted much of your time to the young people of our province. Whenever I have spoken to Her

Honour, I have always been struck by her obvious genuine energy, commitment and enthusiasm felt for young people. These are challenging times for all of us, but especially, I would argue, for our young people. In Your Honour, we have had a Lieutenant Governor who recognizes the potential of young people and, in turn, you have made it your mission to nurture that potential. By doing so, you've really taught us all a very valuable lesson. The lesson is quite simply this: if we don't see the potential in our young people, how can we expect them to see it in themselves?

Your Honour, you have ennobled the office you have held. You have raised it in public esteem. You leave it in higher regard than it was held when you assumed the office some five years ago. Through your warmth, your caring, your drive, you have served us with honour and distinction. Quite simply, you've helped to make our province a better place to live.

In your Canadian Club speech this week, Her Honour said that the office of Lieutenant Governor "may be less 'head' of state than 'heart' of government." My colleagues, on behalf of my caucus, and I'm sure I speak for all members present, I wish to publicly thank Your Honour for giving us the gift of your heart. Now that you are leaving the office of Lieutenant Governor, let it be said what so many thousands of your fellow citizens already know so well: Hilary Weston served us well.

Applause.

Mr Howard Hampton (Kenora-Rainy River): Your Honour, on behalf of the New Democratic caucus, I am pleased to be able to say some words of thanks for five years of distinguished service to the people of Ontario. I believe I speak for all Ontarians when I say that you will be missed.

The office of Lieutenant Governor is steeped in tradition. Those who hold it are called to the highest level of public service, to say nothing of the busiest level of public service.

You brought class and distinction to your office. It is a role that you filled naturally.

People regard you fondly for a host of reasons. I believe it was your sincerity and your genuine sense of caring that spoke loudest to our citizens. They saw you forgo a salary and donate those proceeds to worthy programs for women and children. You demonstrated your commitment to youth when you established the First Connection program, something that young Ontarians continue to benefit from.

People admired your grace and style. These qualities shone through at the over 1,500 public events you attended in 87 Ontario communities over the past five years. And let me say personally, thank you for not forgetting communities like Sioux Lookout and Kenora. People there very much appreciated the fact that you recognized there is life beyond the 401.

You have touched the lives of individuals from all different backgrounds and walks of life in every corner of this province. They applauded your advocacy and involvement in a wide range of concerns, from disabilities

to seniors. Most of all, they saw you enjoying your duties and putting everything you had into them.

Now, as you return to private life, or a little more of private life, you will be warmly remembered by all, and you have indeed set a high standard for those who will follow you.

In honour of your Irish heritage and this occasion, there is a poem by a very Irish poet, William Butler Yeats, *The Lake Isle of Innisfree*.

I will arise and go now, and go to Innisfree,
And a small cabin build there, of clay and
wattles made;
Nine bean-rows will I have there, a hive for
the honeybee,
And live alone in the bee-loud glade.

And I shall have some peace there, for peace
comes dropping slow,
Dropping from the veils of the morning
to where the cricket sings;
There midnight's all a glimmer, and noon
a purple glow,
And evening full of the linnet's wings.

I will arise and go now, for always night and day,
I hear lake water lapping with low sounds
by the shore;
While I stand on the roadway, or on
the pavements gray,
I hear it in the deep heart's core.

As leader of Ontario New Democrats, I wish you well on your future path. Enjoy a well-earned break. Your family will be happy to reclaim you from public life.

On behalf of people across this province, I want to extend warmest wishes for your continued good health, happiness, success and the contribution I know you will continue to make.

Applause.

1740

Hon Hilary M. Weston (Lieutenant Governor): Mr Speaker, members of the Legislative Assembly, I first want to thank the Premier for his very kind words in this chamber today. I assure you that his personal support and that of the government have been very warmly felt. I thank him for his kindnesses over the past five years.

Premier, as we both are about to make our official exit from the provincial spotlight, I am reminded of the line from a Tom Stoppard play: "Every exit is an entry somewhere else." I join with everyone here in wishing you all the best in your future endeavours in whatever arena you choose to enter next.

I would also like to express my sincere gratitude to the leader of Her Majesty's loyal opposition and to the honourable member for Kenora-Rainy River for your very good wishes today. I certainly enjoyed your reading of W.B. Yeats's *The Lake Isle of Innisfree*. It reminded me of my early school days in Ireland.

I'm not sure if the positive reception in the chamber thus far this evening emanates from good manners or from that easy politeness that comes from knowing that this is the final goodbye. But I must say that it's rather nice not to be interrupted by the mutterings from some corners of the House that have been known to greet me while reading the four throne speeches of my time. I might say that I am also grateful for the absence of the pelts of paper that came my way from the press gallery during my one prorogation speech.

I am hoping that you might maintain this positive spirit and indulge me for a few more minutes.

I stand before you as I approach the fifth anniversary of my installation into this venerable office, the culmination of a whirlwind 1,825-day journey, one that saw out one century and welcomed in a historic new millennium once or twice, depending on which experts you listen to.

Although my installation took place in the last century, it seems like only yesterday that I stood in this chamber and took an oath to be faithful and bear true allegiance and to administer justice impartially. On that day in January 1997, I committed myself to supporting young people, volunteers and women and I hoped that I would merit the trust that you placed in me here.

This role was quite a challenge for someone who had never held public office. I can assure you that I have today a much deeper understanding of the commitment and sacrifice that each of you makes as elected representatives.

I am glad to report to members here today that I have visited all but three of your 103 constituencies while serving the people of this province. In the process I attended, as was said earlier, close to 1,500 events in 87 different communities, from Sioux Lookout to Leamington and from Kenora in the west to Cornwall in the east.

I have received close to 35,000 guests at official events in the Lieutenant Governor's suite in this historic building, and more than 72,000 visitors participated in guided tours of the suite here at Queen's Park, the heart of our provincial democracy.

Like all of you, I take great pleasure in congratulating senior citizens on reaching milestones in their lives; in my case, more than 22,000 times for birthdays and for wedding anniversaries of 50 years or more.

I have also been privileged to honour more than 450 citizens at 40 investitures in Ontario's honour system, the largest and most well regarded in the country. And I know that many members who were present on these occasions have also been proud of these deserving citizens.

I have been warmly received in communities throughout the province by members from all sides of this House. I thank all of you and, through you, your constituents for a very moving welcome.

I have also benefited greatly from the very professional work of the Ontario public service and I would like to thank them, through you, Mr Speaker, especially for the able assistance of your distinguished Clerk and table officers, the Sergeant at Arms and his staff and, indeed, all the assembly staff. All have given me tremendous support.

I also would like to extend my thanks to the Chair of Management Board, whose secretariat assists me at my very small office with administrative and financial support; to the Solicitor General for the services of the OPP in keeping me safe from harm and for support in my travels; and to the Minister of Natural Resources for the skilled pilots who delivered us safely to destinations across the province and, I may say, in all kinds of weather. Also, a special thank you to the ministries of citizenship and economic development and trade and to the Cabinet Office staff who sought me out and tracked me down, all to ensure that I signed close to 16,000 orders in council and 45,000 appointments of notaries, commissioners and land patents. Above all, I thank my loyal, hard-working and dedicated staff who epitomized the best qualities of public service and somehow managed to keep everything, mainly me, going. They are perhaps the best gift that I will leave to my successor.

As I leave office, we stand at the threshold of an exciting and interesting time in this province and this country. I am told that the year ahead may bring many changes in who sits where in the government's front benches. But 2002 will also be the year in which we celebrate the 50 years of exceptional dedication of our sovereign. I know that Ontarians will look forward to greeting the Queen and the Duke of Edinburgh on their visit to this province next October. In addition, World Youth Day and the presence of Pope John Paul II will bring millions of young people to this city next June. Finally, the year ahead marks the 250th anniversary of the birth of our first Lieutenant Governor, John Graves Simcoe, a man of great vision who established the roots of parliamentary democracy in this province and bequeathed to us the proud traditions of our constitutional monarchy.

The Ontario that I have come to know and love fully lives up to its motto, "Loyal she began and loyal she remains," and loyal I shall remain as I watch from the wings. I shall always wish that Divine Providence guide you in all your deliberations and continue to bless this country and this extraordinary province of Ontario.

God save the Queen.

Her Honour was then pleased to retire.

The Speaker (Hon Gary Carr): It being almost 6 of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1754.

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Deuxième session, 37^e législature

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Journal des débats (Hansard)

Thursday 13 December 2001

Jeudi 13 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 13 décembre 2001

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

NIKKEI HERITAGE DAY ACT, 2001

LOI DE 2001 SUR LE JOUR DU PATRIMOINE NIKKEI

Mr Wettlaufer moved second reading of the following bill:

Bill 140, An Act to proclaim Nikkei Heritage Day /
Projet de loi 140, Loi proclamant le Jour du patrimoine
Nikkei.

The Acting Speaker (Mr Michael A. Brown): The member for Kitchener Centre has up to 10 minutes for his presentation.

Mr Wayne Wettlaufer (Kitchener Centre): This is another bill that I'm presenting in the interests of my interest in multiculturalism, but in no way do I want to take away from the importance of this particular one. While it celebrates cultural diversity, it also celebrates the Nikkei heritage. I would like to start off by reading part of a letter that I received from Betty Moritsugu, who is the chair of Nikkei Heritage Day, 2001. She says:

"Dear Mr Wettlaufer,

"On behalf of the committee, thank you very much for considering a private member's bill this session to establish our heritage day as a provincial observance. We are also most grateful to the Honourable David Tsubouchi for supporting my proposal....

"The name of the day: we have called it Nikkei Heritage Day from the outset seven years ago to make it clear, at least within our community, that this is a celebration of Japanese-Canadian heritage with no direct connection to current-day Japan. ('Nikkei' means 'overseas Japanese' and is used by us to mean the Canadian variety, of course. 'Nikkei' also is a short word that easily fits newspaper headlines.) 'Japanese Heritage Day' does not make that distinction, which is why it has not been used from the start. If absolutely necessary, 'Japanese-Canadian Heritage Day' could be used, but for publicity and promotion purposes it is somewhat cumbersome.

"Nikkei Heritage Day is not celebrated on the same day in September each year. Rather, for the convenience of the attendees, it is held on the Sunday nearest to the anniversary of the Japanese-Canadian redress settlement of September 22, 1988. We hope the floating date of the

observance will not clash with the terms of provincial recognition."

Japanese immigration to Canada began in 1877. It was not unlike other ethnocultural immigrations to Canada. They came here for the prospects of greater wealth and opportunity. They brought with them their talents, whether they be agricultural or fishing, but also craftsmen and traders. Many at that time were unskilled, but those who came to Ontario were not unskilled. They were the professionals of their day.

The initial immigration was young, male and single, but later these young men brought their wives over, they had children and they put down roots. By 1941, 60% of the Japanese community was Canadian-born. While many of them, as I said before, were low-skilled, the others were not low-skilled. Nevertheless, all of them held down low-paying jobs. They didn't receive any more than a half to two thirds of the pay that whites received in comparable jobs.

In 1922, the federal government had limited the number of fishing licences that would be issued to Japanese, therefore limiting their opportunities. The Japanese, whether they were born here or whether they came here as first peoples, the Issei, were subjected to racism. They were considered slightly better than blacks, but they were considered definitely less than whites. Early immigrants to Canada were denied the right to vote, with the exception of the few military veterans after World War I.

We have the second generation, the Nisei, who were born in Canada. They were not unlike other Canadians. They wanted what the whites wanted, they were motivated by materialist values, success in chosen careers, and many of them earned university degrees. Nevertheless, the good jobs were still closed to them.

I'd like to focus for a moment on the cultural shock that all immigrants have. Parents come here and they know their own culture. The children don't know the culture, especially those who are born in Canada. But in the Japanese culture, the kin the family, was most important. Women were submissive to men, marriages were arranged, children were supposed to be submissive to their parents' authority and their conduct was always according to the dictates of family honour. Imagine the culture shock. But the Nisei put family traditions behind them and adopted Canadian practices.

Then of course, we had World War II, and this is where I think my interest stems from this issue. About 15 or 20 years ago, I was travelling on a highway out west and it happened to go right beside where the Japanese Canadians were interned. These Japanese Canadians lost

all of their property, they lost all of their assets; the William Lyon Mackenzie King government of the day didn't have enough money, it said, to pay for the internment of these immigrants, so their own assets were used to pay for it.

I looked at the conditions that the Japanese Canadians suffered in this internment camp in Canada, and it was not unlike those conditions that Canadians suffered overseas in concentration camps, in internment camps. I thought, how is it that this happened right here in Canada?

After the war, most of the Japanese were moved from the west to Ontario. They were dispersed throughout Canada, but most of them came to Ontario. Four thousand of them were actually deported to Japan. The Japanese Canadians, the Nisei, were absorbed into the social fabric of Canada. They were integrated. They intermarried.

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Then, of course, we have the Sansei, who are the third generation. They, as well, have become even more integrated and have intermarried even more. They are the grandchildren. They receive formal instruction in Japanese folk arts in order to learn their Japanese culture, again, much like other cultural groups who have come to Canada, because folk arts are no longer an automatic part of their culture.

Once victims of racism, bias and few in number, the Japanese Canadians have succeeded in life like very few others. In one of the books I was reading, I couldn't help but recall the 1976 Grey Cup game. I remember Bill Hatanaka running back a record-setting punt return in the Grey Cup game. But there are many other Japanese Canadians who have succeeded beyond all belief.

Yuki Yoshida, who is from Montreal and Toronto, won an Academy Award in 1977 as the co-producer of a short-subject live-action movie.

Our own David Tsubouchi, who is Chair of Management Board now and has served in many other capacities, is a success story right here in Ontario.

We can't forget the martial arts and the discipline that the Japanese Canadians have brought to this country. My own daughter took one of the forms of martial arts. There is no doubt in my mind that the discipline of that martial arts training has contributed to her success.

Where once the Issei, the unskilled, immigrated to Canada, we now have a new generation of Japanese, the Shin-Ijusha, coming to Canada. They are the best educated and most highly trained overseas immigrants coming to our country.

Toyo Takata ends his book *Nikkei Legacy* by saying, "No other community of Canadians faced a greater challenge and endured. Indeed, they triumphed." I don't know if any other community of Canadians faced a greater challenge, but certainly they faced a major one, and they did endure and triumph.

Mr James J. Bradley (St Catharines): I appreciate the opportunity to participate in the discussion this morning on what I think will be a non-controversial and multi-partisan debate, I don't say non-partisan, I say

multi-partisan, because all members of the Legislature will want to join in the support of this legislation, An Act to proclaim Nikkei Heritage Day.

The member for Kitchener has outlined a history which is checkered in this country, a history of Japanese Canadians in this country: checkered because of the early experiences and the experiences during wartime that people of Japanese descent had within the confines of the country we know as Canada; indeed, within North America.

To jump right into one specific issue, I've listened to some of the interviews that have taken place with people who have been elected to various offices in Canada and the United States. I was watching the other day, about a month ago, I suppose, an interview with a Japanese American legislator on that occasion, who described the experience of his family, the circumstance being that here were people who were in Canada and were of Japanese descent and were good strong Canadians, who were placed under suspicion by the government and by many in the population simply because they happened to be of Japanese descent, although they resided in Canada. Canada is a country that over the years, and particularly in recent years, has welcomed people from all around the world. We expect, and we have found this to be the experience, that overwhelmingly the people who come here become part of the Canadian fabric. They are individuals who contribute as individuals, rather than as people of a particular descent or ethnicity, though we always hope and encourage, in our country, that they will share their heritage with others.

Certainly the experience of many Japanese Canadians, particularly in wartime, in the Second World War, had to be one that was tempered with a lot of disappointment. Even in communities such as St Catharines, I am told by people of Japanese descent, good friends of mine in St Catharines, they were told they weren't wanted. There were people within the communities who did not want people of Japanese descent in St Catharines and in other communities. I found that astounding I suppose because that era had passed as far as I was concerned. I was particularly disappointed to hear that and, as I say, astounding to hear that.

There's an old saying, "Some of my best friends are...." and coincidentally some of my best friends indeed are people of Japanese descent, very good friends of mine whom I encountered through growing up and in high school in St Catharines, as personal friends and people who have worked on my campaigns over the years. So I've had a pipeline to some of the history of Japanese Canadians. Although there is not a concerted effort to reflect on a daily basis on those experiences, if you're prepared to ask, people of Japanese descent will share with you what they experienced, particularly during time of war.

We recognize that during a time of war things happen that are very difficult for people who happen to be of an ethnicity where perhaps their ancestors, perhaps even some of their relatives, in another country may be at war with us. But to see people taken from their homes and put

in internment camps simply because they were of a particular ethnicity, in this particular case Japanese, as you reflect on that today, you reflect with a good deal of concern and sorrow that in a democratic country such as Canada, which supposedly welcomed people from around the world, that would be the case.

The member for Kitchener mentioned voting rights. He will correct me with a nod or a no—was it not until 1947, I notice, that voting rights were granted to people of Japanese descent after the war? Here again are people who have been Canadians first. When I speak to my friends who are of Japanese descent, when you cross a border to go to a hockey game or something of that nature, of course they say “Canadian,” because they are Canadian. Everything about them is Canadian. There is not a denial of ancestry at all, but they are Canadian, just as all of us adopt that Canadian mode, particularly as we’re here for longer periods of time.

Japanese Canadians, as other Canadians, and as my friends in the Japanese community, would not want me to stand in this House and extol the virtues of the Japanese as though they’re the only people who have done these things, but I’m going to tell you that from a position of being shunted aside and treated not particularly well in their early days in this country, to today, we have seen the kind of integration, the kind of progress, the kind of involvement in various aspects of our community that we would want to see for people of Japanese descent.

The member focused, and he did this with another bill that he brought before the House, on the role that individuals from one community, as we say, have played in this country. Many countries in the world over the years—it’s changing now—have excluded people from other countries. They’ve really wanted to be a country where the people were all of one ethnicity. Others were looked down upon and there were immigration barriers that were set up.

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Canada, and to a certain extent the United States as well, being in the New World, have welcomed people from other countries. So when you walk down the streets of Toronto or Montreal or Vancouver—I say this because it’s usually the larger cities immigrants tend to come to to begin with; that seems to be the tendency—you will see that we have people from around the world in this country now.

We benefit immensely from that. I know it’s a hard adjustment for some, particularly for those who live in communities where everybody looks the same and may be from a similar background. They sometimes wonder whether this is the route we should go. Of course we recognize the huge benefits that immigrants have brought to this country over the years.

Jim Coyle, in one of his columns in the Toronto Star some time ago—I clipped it out and I saw it the other day; I was reviewing it—talked about what they said about each group as that group came to Canada, how they tried to peg them as being lazy or radical or something of that nature. He mentioned all the different groups that had come, and what they said about the Irish, what they

said about the Scottish, what they said about the French when they came to Canada, or people of Polish descent or any other country. The point he was making was that the complexion of Canada is changing over the years and people are saying things about the new wave of immigrants now that he points out were said about immigrants years ago.

We’ve found that all have come together in Canada. We’ve become an international country. We have wonderful connections with other parts of the world. Certainly our relationship with Japan is a strong relationship, but again I emphasize that although people of Japanese descent may have relatives in Japan, my experience is that as with others who have come to this country, they are Canadians first.

We want to encourage people to share that culture. One of the great advantages we have in this country is that we do that. While we ask people to be Canadians first, we ask them as well to share their culture and their history with us. We learn so much about others in the world by having them come to our country and not simply assimilate—although, as I say, we want people to be Canadians first—but become part of the education process about people and their culture.

The Japanese culture is rich in tradition. There is, I think, a better understanding of it today than before because of many of the documentaries we get to see on television, particularly with PBS in the United States, TVOntario and the CBC, which do documentaries on various people who have come to our country, or we’re able to read about those individuals.

It is important in a country that while we may not dwell excessively on the past, we recognize what happened in the past and the lack of justice that was part of the history of Japanese Canadians in this country. There was an effort in 1988 to try to redress that and I thought it was appropriate. Again, there were people who were resentful of that particular effort, but I think that when there has been a wrong perpetrated upon one particular group in our country, it’s important that we indicate our sadness about that and indicate an apology as these things have happened in history. It doesn’t mean present-day Canadians should have a guilty feeling; it is, however, important they be aware of what has happened in the past so that, we hope, it will not happen in the future.

It was a difficult time. When I talk to people, particularly elderly people who tell me what happened, as a Canadian I feel a good deal of regret about that. Imagine, simply because you happen to be from a particular ethnic background, you are taken from your home, you lose many of your assets, you’re often separated from those you love, you lose the friendship of those in your community and you are interned in a particular camp. Even though you are a Canadian, you happen to be a Canadian who may have come from a country or whose ancestors may have come from a country which was at war with the United States, Canada and much of the western world.

So I want to say to the member that I'm pleased he brought forward this bill today. I think it's going to be important that the Sunday closest to September 22 each year is proclaimed Nikkei Heritage Day. The act will come into effect when it receives royal assent. I find it hard to believe, though I cannot speak on behalf of all members of the Legislature, that we would not have unanimous consent of this House for this piece of legislation. I think it's not simply because we are attempting to pander to any particular group or to court favour with any particular group. I think it's because it's positive for this country and positive for the people who have come to this country from Japan.

Our relationship has grown over the years. If you talk to Canadians, you will find that many of their children are now in Japan. One of the things they're doing, among others, is they're involved in the teaching of English. There have been marriages that have happened in Japan or in Canada, but we still have people who can communicate, interestingly enough, through computers, through the Internet, through e-mail with one another almost instantly. I'm not a master of technology, but we can even see images of people.

Mr George Smitherman (Toronto Centre-Rosedale): That's an understatement.

Mr Bradley: "An understatement," says my colleague.

We can even see people on a screen. This is something the member for Kitchener and I as youngsters would have heard about as, shall we say, science fiction. But today we have the opportunity to communicate instantly of course with writing, but also with our voices and pictures so we can actually see the person at the other end. That's the marvellous part of being able to communicate. I say that, because I know a number of my friends have children who are living in Japan today.

So that relationship grows stronger. People who have gone on exchanges—the Rotary Club, for instance, has an international exchange program—have found it a fascinating country, a wonderful country to visit. The warmth of the welcome they receive is truly marvellous.

So I think it's important that we in this country, in this province, recognize the heritage of the people who came from Japan to our country. I think this bill will do so, and I think each time of the year on that day we will be allowed to reflect on that heritage in a very positive way.

Ms Marilyn Churley (Toronto-Danforth): I rise to speak not just for myself today, but on behalf of the New Democratic Party. Although this is private members' hour and sometimes we vote differently on some of the issues before us, I would say we all support Mr Wetlaufer's bill before us today, Bill 140, An Act to proclaim Nikkei Heritage Day. I think this is a long time coming, actually, and I'm very, very pleased to see it before us.

I want to pay tribute for a moment to the National Association of Japanese Canadians. I don't know if many people here are aware of the work they do in our communities. I'm sure Mr Tsubouchi, who is here with us today, would be very aware of this association and the

work that they do. They have a mission statement, and their mission statement is:

"To promote and develop a strong Japanese Canadian identity and thereby to strengthen local communities and the national organization; and

"To strive for equal rights and liberties for all persons; in particular, the rights of racial and ethnic minorities."

Their vision is for "a strong, unified community founded on diversity and committed to human rights for all for the enrichment of Canada." Their priorities are to advocate for human rights, to strengthen communication, to build bridges, to strengthen Japanese-Canadian identity, to do effective fundraising—always important—and to strengthen local chapters, and they have done tremendous work.

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Perhaps we're not aware of the work Japanese Canadians have done on the issues around human rights. They've been a very strong voice in that area by developing a strong public voice and profile on human rights issues, with priority given to Canadian issues, group issues and Aboriginal rights. Again, I'm not sure if people are aware that Japanese Canadians have worked and continue to work very hard on equality and Aboriginal rights. They have worked very hard over the years to make people aware of their own history—not just the history—to present injustices. They are out there supporting groups or seeking resolution of historic wrongs by supporting and resourcing a national human rights committee with a proactive strategy and communications plan.

They have a tremendously strong organization. They have local chapters that sponsor and resource outreach initiatives at the local level, and provide technical assistance, knowledge and experience to support local activities to develop a varied program of activities with a wide range of appeal.

So this organization is out there doing all kinds of tremendously important work. Because of this bill before us today, we have an opportunity to pay tribute to the National Association of Japanese Canadians and thank them for the work they are doing now and have been doing, sometimes very quietly, but very effectively, often in the background. But they're out there, and they're a very strong organization.

We've talked a little bit about the evacuation of Canadian Japanese or Nikkei from the Pacific coast in the early months of 1942. I guess it was one of Canada's greatest shames in our entire history. On the eve of Pearl Harbor, we had about 23,000 people of Japanese descent in Canada, primarily in British Columbia. A lot of the Japanese Canadians were foresters and fishermen, miners and merchants. They were treated—and we know this is well documented—with suspicion and hostility, and they were targets of ongoing, unrelenting discrimination and sometimes were subjected to great violence. Then, as we all know, in the sad history of the war, when war was declared on Japan in December 1941, there was a huge outcry and a push to literally rid British Columbia of

what they called the Japanese menace. This became a huge outcry, and tensions mounted. Then in 1942, the Ottawa government caved in to this racist outcry and interned Japanese citizens.

I had the incredible privilege and joy, so to speak, to share living quarters back in the early 1980s with the well-known writer Joy Kogawa. Everybody here, I'm sure, is very aware of her famous book, *Obasan*. I lived with Joy when she was writing that book. She would disappear for hours and hours and hours a day. I had no idea at the time what she was writing. I knew she was writing something very important. She had that writer's look about her all the time. She was frequently pre-occupied. We were very close friends, and still are. She's a tiny woman, too. We shared clothes and spent a lot of good times together. Then when Joy—

Mr Garry J. Guzzo (Ottawa West-Nepean): You might take some credit for it.

Ms Churley: Yes. I want to pay tribute to Joy today. If you haven't read her book—she's written several other books, and books of poetry, since then—I recommend that you do so. Her book, *Obasan*, which was published in 1981—I guess this is what she is best known for—tells the story of what happened through the eyes of a child. She tells the shameful story of the internment of Japanese Canadians during the Second World War. This book is considered by many to have been a catalyst. I know there are many other people from the Japanese Canadian community who can claim credit and were catalysts as well, but I believe her book—and many others share this view—was a catalyst for the eventual redress in 1988 of the wrongs done to Japanese Canadians.

I want to read some of the things Joy said when she was talking about her book, and what happened to her family when they were dragged from their homes, separated and put in camps. She says:

"Betrayal is part of the human story. We take a group of neighbours and demonize them. During the Second World War, we Japanese Canadians were the demonized people of the day. Our entire community was uprooted and relegated to the cesspool. The racism I imbibed as a child was profound. For years I was proud to be 'the only Jap in town.' It was an invisible racism, my self-perception was of unworthiness, inferiority, ugliness. The watchword when I was growing up was assimilation. We were quite successful at getting lost."

She says that her book is strongly autobiographical and, like Naomi in the book, she said, "I became a person who would not speak, would not ask a question, did not expect to be heard."

She goes on to say, however, talking about her heart-wrenching experience—we can't even imagine what that must have felt like—"You can't compare the events of the European Holocaust with what happened in North America." She would ... compare the Holocaust to the atomic bombings. Both spawned 'the sense of hopelessness that flows from an evil that is unimaginable.'"

Again I would recommend to people, if you have not read this book, *Obasan*, please read it. There are other tremendously well-written novels and accounts of the

horrible events that took place and what our Canadian government did to the people of Japanese descent in the war.

Since September 11, concerns have been expressed by the New Democratic Party, and others who have written about it, about racial profiling; concerns about some of the things that have happened in this country, in this province and indeed in my own riding to people of Arab decent or to people who some think look like Arabs, to people of colour; some of the terrible racist things that have been done to them personally. People have been spat upon, have been physically attacked and their property damaged; the fear that people have been feeling since the events of September 11.

Of course, nobody is talking about or even contemplating doing to the Arab and Muslim community what we did to Canadians of Japanese descent during the war, but the incidents that have happened and the kind of fear and in some cases loathing that has exhibited its ugly head since September 11 has certainly brought back some of those memories and fears and concerns. We learned a lesson from that time to never, ever take such horrible action in this country again toward any of our citizens.

But there is still concern about the federal Liberal Bill C-36, which many of us believe strips Canadians of their civil rights. When we're talking about these issues, there's always a balance. Certainly after the horrible terrorist attack in the US, all people, including people of Arab and Muslim faith, believe that the balance needs to be tipped at this time, to some extent, between our civil rights as people of this country and the need for our safety and security. I don't think there's anybody who argues with that, including our Arabic and Muslim citizens, because many Muslims and Arabs died as well in the attacks on the US. But we have to be very, very careful to not tip the balance too far in favour of security, as I believe Bill C-36 does, which is why our New Democratic caucus in Ottawa struggled so hard to get amendments to get a sunset clause made on the bill. We must constantly be very, very careful to not tip the balance too much in favour of security because innocent people can get caught up in that web of security and be held in prison, not being able to exercise the civil rights that we're all used to and depend on and expect in this country.

I want to end by saying again to Mr Wettlaufer that I'm very pleased to have an opportunity to speak to this bill today and very pleased that the bill is before us and very pleased that I've had the opportunity on behalf of my caucus today to express my appreciation for the incredible contribution that our citizens of Japanese-Canadian descent have made to this province and indeed to this country.

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Hon David H. Tsubouchi (Chair of the Management Board of Cabinet): I'm pleased to see, first of all, the students from St Maria Goretti school in Scarborough who joined us for this very important discussion.

A couple of years ago I was in Thunder Bay, travelling and doing a few speaking engagements with my good friend Jim Doherty. Jim, who is associated with the military museum in Thunder Bay, asked me to visit the military museum, and we dropped by. The first thing I saw as I walked into the room was a scale model of the POW Camp 101, which my father was placed in during the Second World War. I explained the story to the people in Thunder Bay. A few months later, at the request of Mayor Ken Boshkoff, I attended Thunder Bay again. There they presented me with a print of a flower growing through the barbed wire, along with the actual barbed wire that surrounded the POW camp that my father was in. By the way, my colleague Michael Gravelle from the Liberal Party was there as well. I want to express once again my heartfelt thanks to the people in Thunder Bay, because that was probably the most meaningful presentation that I have ever been at in my life. I passed it on to my father, who appreciated it as well.

Many other speakers have talked about the relocation, and the relocation, through my father's eyes—he was telling me that the Mounties knocked on the door and told him he had to leave the next day with only the possessions that he could carry. Can you imagine trying to decide which of your possessions you needed to take, aside from warm clothing for the cold winters that we have in Canada? The only thing that I have left of my grandfather's is a very tiny sake set that they were able to keep.

They were herded like cattle and quite frankly, as the speakers have said, all our property was sold. None of the money was given to the Japanese Canadians; it was all confiscated. Like my mother, Fumiko Takahashi, and my aunt, Haruko Bando, they were taken to internment camps, Lemon Creek in their particular case.

I wanted to express something about the POW camp. I want to start by just giving a quote from a book called POW Camp 101, written by Bob Okazaki, who unfortunately passed away last year. This is the quote: "The end result of the evacuation program was the complete eradication of our Japanese community from Canada's west coast. The evacuation dragged our community down into a whirlpool. While we were held back, other minorities began to politically and economically excel. Those of us who could become leaders were oppressed and subdued. Now, some 50 years later, the Japanese Canadian society I once knew no longer exists." That's a really sad commentary on the conditions.

I might say the reason why my father, Tom Kiyoshi Tsubouchi, whose prisoner of war number was 606, born Canadian along with my uncles on my mother's side, John Akira Takahashi and Hideo Takahashi, whose numbers were 578 and 579, all born Canadians, were in that POW camp was that if they decided you were a leader in the Japanese Canadian community in BC or if you were in a group of protesters—who were not protesting the confiscation of their property or the relocation and transportation into internment camps but the fact that they were being separated in Vancouver before the trans-

portation; that's the only issue they were protesting—you were placed in a POW camp, as my father was.

My grandfather, Chozo Takahashi, at the age of 55 was the very first Japanese Canadian to die because of the transportation. He died in Winnipeg. My uncle Akira wanted to get off with him to see to the funeral, but they wouldn't let him do that so he was buried in a pauper's grave somewhere around Winnipeg. Despite all this, the Nisei community, the Japanese Canadians, were pretty philosophical about it. I guess there's an expression they use in Japanese, *Shigata ga nai*, which basically means, "What can you do about it?" Despite all the wrongs that were committed against my father personally, he's a very proud Canadian, as are members of the Japanese Canadian community. They're very proud to be Canadians and they continue to be to this day.

I'll end by quoting from a book called *Maple*, which is a group of Tanka poems, which is a form of Japanese poetry which, by the way, was translated by my uncle, Hideo Takahashi. I'll give you the English translation in a second.

Remarks in Japanese.

Which means:

The frequent moves and relocation were unavoidable.

Such are the evils of war.

With hope,

Toronto is now final home.

That's the way the Japanese Canadians view Canada, that this is their home. They're proud to be Canadians.

From the bottom of my heart, I thank the member from Kitchener Centre for taking forward this bill, which not only has meaning to the Japanese Canadian community in this province, but has great personal meaning to me. Thank you, Wayne.

Mr Toby Barrett (Haldimand-Norfolk-Brant): Before I begin, I would ask members to recognize the students of Holy Cross academy in Woodbridge.

Applause.

Mr Barrett: Thank you, Speaker, for this opportunity to address Nikkei Heritage Day. I know some may wonder why I, as the member for Haldimand-Norfolk-Brant, would feel it so important to address this bill. I do not have many Japanese Canadian constituents. I only know two families, the Kobayashis and the Hinatus, in my hometown of Port Dover. The families moved to Port Dover, a commercial fishing town, for some of the reasons we heard Mr Tsubouchi outline this morning. These families have had a great and positive influence on Port Dover.

Secondly, when I worked in Toronto back in the 1970s as a farm boy—at that time, you had a put a bankroll together if you wanted to keep farming—I was literally adopted by the Hatashita family. People who were involved in martial arts back in the 1970s would know the Olympic reputation of Frank Hatashita and his contribution to judo. I rise in the House to honour the reputation of those several Japanese Canadian families that I have known personally. It is important to me to indicate

my respect for their contributions and, through these families, to thank all Japanese Canadians and to indicate my support for a Nikkei Heritage Day.

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As we know, Japanese Canadians are a very important part of society in Canada. Despite suffering through property and monetary losses at the hands of our federal government during World War II, Japanese Canadians, as Mr Tsubouchi has indicated, have gone beyond that and continue to make significant contributions. I think of architecture. I mentioned judo and other martial arts and of course Japanese food, which is a very important part of my diet.

As I indicated, my hometown of Port Dover has benefited immensely from the influence of the families, the Hinatus, the Kobayashis. Even after he retired as game warden, Les Kobayashi continued to monitor the pier at Port Dover well into his eighties.

I spent a number of years in company with the Hata-shita family. Frank Hatashita tolerated me in his home, not because I knew anything about judo—it's probably just as well. He had a pretty fierce reputation and I was not seen as a threat. I know many people had a great deal of respect and fear of Frank Hatashita. Frank Hatashita loved to cook Japanese food, and I loved to eat it. There are many other stories about Frank, and I can discuss these with the Honourable David Tsubouchi later.

We know it was 124 years ago that the first Japanese person set foot on Canadian soil, by boat of course across the Pacific, landing in British Columbia. I think back to a beautiful painting Frank Hatashita had of his commercial fishing boat that was seized. Frank Hatashita had an affinity to my hometown, Port Dover, a commercial fishing town. Both my sisters married commercial fishermen, and to seize someone's boat is akin to seizing someone's farm. I can only begin to imagine the devastation on that man to lose his boat.

One aspect of Japanese culture—I did a fair bit of reading with respect to both architecture and landscape architecture and a few years ago I built my own house. I also did a fair bit of what I refer to as bulldozer landscaping, much of it based on the concept of "form follows function." It's a principle I picked up from my association with the families I've mentioned and I have found that it has served me well in political life as well.

The Japanese cherry is another gift from overseas. The blossoming cherry trees of spring have special significance, many now a permanent fixture in much of Ontario and Canada and truly a testament to nature's beauty. Thanks to Les Kobayashi, again of Port Dover, we have a grove of cherry trees that have been planted over the years. I had the pleasure of showing these trees to the Honourable David Tsubouchi a number of years ago.

We have heard mention of self-defence—aikido in its many forms: judo, kendo, karate. Again, Port Dover has an outstanding judo club and has had for a number of years.

I regret time does not permit me to continue and I will wrap up by indicating that we all owe a debt of thanks to Japanese Canadians for their many contributions. I call

on this government to recognize the legislation that's put forward today, and I personally thank the positive contributions that Japanese Canadians have had both on me and on my community.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):

I'm very pleased to be able to speak in the limited time that has been left. I am proud to be able to stand with respect to the act to proclaim Nikkei Heritage Day. Certainly the history of this goes back to Pearl Harbour in World War II and also Hong Kong. I could share a personal note, that my father served in the Canadian army. About the time of Hong Kong, when they were recruiting in Winnipeg, where my family is from, he tried to get accepted for the Winnipeg Rifles who went over to Hong Kong. He wasn't accepted for service and he subsequently served out east, where he was accepted for service. It obviously would have had a profound effect on my life, because I might not even have been here.

I would say this on two fronts, one from my local experience with the people of Japanese heritage: it has had a profound effect on me. The people at Izumi restaurant do great charity work throughout the city of Barrie with respect to fundraising for people and the Barrie and District Association for People with Special Needs. The investment that has been brought into the area gives some backbone to the economic base of Simcoe county. There is the Honda plant, and other Japanese investments from different companies. Looking at the contribution they've made, it's been significant not only from a social perspective but also from a business perspective.

There is my interest in Japanese politics. I studied it at McMaster University with great interest. I think it's a fascinating study in terms of the Japanese political structure and their history.

I want to share, for all the people who are listening here today, that there's a tremendous book out by Pierre Berton, *Marching as to War: Canada's Turbulent Years, 1899-1953*. He has in there, I think, a very objective account of what happened to the Japanese people who lived in this country and were citizens of this country. He views it as, here we were fighting in World War II for peace and democracy, and we were interning 23,000 people from their homes and putting limits on their mobility across the country.

The greatest tragedy is that this program that was put in place by the federal government through Mackenzie King and Louis St Laurent did not end until 1949, four years after the war ended. So the prejudice and the views that were held in that day certainly were not helped by the government of the day in terms of dealing with a policy that was the antithesis of what it was fighting for in World War II.

The Acting Speaker: Response?

Mr Wettlaufer: I'd like to thank the members from St Catharines, Toronto-Danforth, Haldimand-Norfolk-Brant and Barrie-Simcoe-Bradford, and the Chair of Management Board, the Honourable David Tsubouchi, for their contributions to the debate this morning.

The comments relating to modern-day immigrants suffering the same insults, and particularly how since

September 11 the members of the Arab and Muslim community have suffered, really bring home the importance of what I'm trying to do here today, and that is not just to recognize a very important ethnocultural group in our community, but to celebrate the cultural diversity we have in this country and in this province.

We had a terrible period during the war and immediately subsequent to the war. Brian Mulroney, the Prime Minister of Canada, said on September 22, 1988, when the federal government redressed, or certainly attempted to redress, the wrong of that period, "I think all members of the House know that no amount of money can right the wrong, undo the harm and heal the wounds." We know that. The Chair of Management Board said there is tremendous pride among the Japanese Canadian community in being Canadian. He outlined his own family's suffering, and in spite of that he talked about the pride his own father and his own uncles have in being Canadian.

No one is trying to right a wrong, but it's to recognize the pride that Japanese Canadians have in being Canadian and in being citizens of this province.

The Acting Speaker: Thank you. This completes the time allocated for debating ballot item number 39. I'll place the questions relating to it at 12 noon.

Hon Rob Sampson (Minister of Correctional Services): On a point of order, Speaker: I think it is important for you know that from the city of Mississauga we have Christ the King Catholic school here watching this very important debate and I'd like to welcome them.

1100

GRAVESITES OF FORMER PREMIERS ACT, 2001

LOI DE 2001 SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

Mr Peters moved second reading of the following bill:

Bill 143, An Act to preserve the gravesites of former premiers of Ontario / Projet de loi 143, Loi visant à conserver les lieux de sépulture des anciens premiers ministres de l'Ontario.

The Acting Speaker (Mr Michael A. Brown): The member for Elgin-Middlesex-London.

Mr Steve Peters (Elgin-Middlesex-London): The first Premier of Ontario after Confederation in 1867 was John Sandfield Macdonald. Macdonald was known in his ministry for considerable distinction. He was frugal, yet creative. Despite opposition assertions to the contrary, he was no puppet of the Prime Minister of Canada.

Our second Premier, Edward Blake, served for two years. One of Blake's distinctions was that he not only served in the federal House of Commons and as Premier of this province, but also went on to serve as an MP in the British House of Commons.

Under Sir Oliver Mowat's leadership, Ontario truly came of age economically, socially and politically. Agriculture was modernized, the importance of industry was

recognized, educational and scientific areas were cultivated, urban problems were addressed and for the first time trade unions were accepted as part of society.

Our fourth Premier, Arthur Sturgis Hardy, is probably best remembered during his days as the commissioner of crown lands because it was through him that Algonquin Park was established.

Sir George Ross was very active in making sure the public education system was overhauled and improved. He also started to deal, for the first time, with the controversies existing between the public education system and the separate schools.

Sir James P. Whitney was our next Premier. During Whitney's term, the administration began Ontario's first publicly owned hydroelectric system. I won't comment on what's happening to that today. He set the University of Toronto in a firm financial position. He passed groundbreaking workmen's compensation legislation. He also created the Ontario Railway and Municipal Board, which I know my friend Mr Colle is most interested in. He also enacted fair but tough liquor legislation.

Sir William Howard Hearst played a very important role because he much expanded this province. In 1912 the Keewatin territory was added to Ontario, which increased the size of this great province of ours by 56%. I think probably the greatest thing under Hearst's leadership was the enfranchisement of women; women were first allowed to vote. He also enacted prohibition, established a department of labour and authorized the construction of the Queenston hydroelectric plant.

E.C. Drury was very active in the agricultural community and was involved with the United Farmers of Ontario. His administration was noted for its important social legislation and also its strict enforcement of the Ontario Temperance Act.

George Howard Ferguson personified Ontario in the 1920s: a mix of 19th century values and 20th century ambitions. As Premier, he set the beginning of the great industrialization of this province.

George Stewart Henry during his tenure provided this province with its first highway system, and paved highways increased from 670 kilometres to almost 4,000 kilometres.

My favourite, because he's from my riding, is Mitch Hepburn. Mitch implemented a number of populist measures, including auctioning off all the government limousines and selling off the Lieutenant Governor's quarters. He was active in the iron ore industry and helped make improvements there. But probably his greatest accomplishment was the compulsory pasteurization of milk.

Gordon Daniel Conant served for a brief period in 1942 and 1943. He was very productive in the Legislature but unfortunately could not heal some differences within the Liberal Party.

Harry Nixon also served as Premier of this province, and I think one of Nixon's lasting legacies is the fact that his son continued to serve in this Legislature and his granddaughter, Jane Stewart, continues to serve the people of Canada today in the federal government.

George Drew was the Premier who acted as both Minister of Education and Premier. For many of us, he was the beginning of the Tory dynasty that lasted in this province for so long, as we all know. He's the man who set it off.

Thomas Laird Kennedy—his grandson, Ted Chudleigh from Halton, is a member of this Legislature today—was a homespun man, and he was popular and respected among the farmers of this province.

Leslie Frost's government initiated progressive legislation in health, education and human rights, and encouraged growth in the private sector through fiscal policy and public investment.

John Parmenter Robarts was a strong advocate for individual freedom and defended provincial and human rights. He also laid the groundwork for the community college system and helped open up two more universities in this province.

Frank Miller, whose son Norm serves in this Legislature today, was very active and involved in the Ministries of Health, Natural Resources, Treasury and Economics, and did much to help lead this province.

These are individuals who I firmly believe deserve recognition. No matter what political stripe they wore, these were individuals who led this province and helped to shape it. I think it's of extreme importance that we pay tribute to these individuals, that we say thank you to these individuals.

Before I came into the Legislature today, I walked down the halls. You walk up the front stairway and you start to see the portraits of the former Premiers. You walk down the hall on the second floor to the Premier's office and you think of the countless hours those individuals put into this job and what they did to try to improve things. To them we say thank you.

One of the things that truly bothers me as a Canadian is that we often don't realize what we have in our own backyard. We don't think about our own heritage enough. We see the great flag-waving in the United States, but we don't do that in Canada for some reason. We think our history is trivial, but it's not trivial. We've got a great history, a history that is worth promoting.

My intent with this legislation is that we take that step and move forward to recognize those individuals. For myself, it started with a visit to Mount Pleasant Cemetery. I was touring this wonderful cemetery on Yonge Street north, and as I went through I saw a Canadian flag and a small plaque at the gravesite of Mackenzie King. It struck me that we're recognizing the Prime Minister and the other Prime Ministers because of federal legislation that Roger Galloway, the MP for Sarnia-Lambton, helped to put forward in 1998. It was enacted in 1999. I thought that if the federal government could recognize the contributions of former Prime Ministers, we as the province of Ontario should be working toward recognition of the former Premiers of this province.

You can just imagine some of the great debates that have taken place in this Legislature since it opened in 1892, and the Premiers sitting there and having to answer

in question period. If the walls in this very chamber could talk, the stories they could tell. I think every one of us recognizes that.

I know there is some concern about one aspect of this legislation, and that is some privacy issues. It certainly was never my intent to go into a cemetery without dealing and working with the cemetery. It certainly was not my intent to act against the wishes of any family member who may have some concerns. But I don't think they will, because I think we should all be proud of the contributions those individuals have made. We should recognize them not only for this generation but for future generations.

In many ways we do need to understand the past and look at the past to know where we're going. I see this as a step forward, where we as a province will recognize those contributions, where we can say thank you to those individuals who have served this province with distinction as Premier and we can say thank you to their families too, because every one of us knows the hours a politician puts in. We need to say thank you and we need to pay tribute. It's my intent, with the preservation of gravesites of former premiers of Ontario, to give these premiers the recognition they truly deserve.

1110

Mr David Christopherson (Hamilton West): I'm pleased to add my voice in support of the bill. I think that it's well intentioned. Quite frankly, a lot of people would find it surprising that we don't do this now. Here we are, on the brink of 2002, and there really isn't this kind of recognition.

The reason I wanted to speak to this was just to add a personal experience. Not that long ago I was in Kingston with a friend and we were travelling around and came across a sign that said, "The Gravesite of Sir John A. Macdonald," of course the founding father of Canada, of Confederation. It piqued my interest. We pulled over, walked up and looked at the site, and I was really disappointed. I say this because I'm sure it's something we've all experienced from time to time.

After a few minutes of looking at the site and, quite frankly, how pathetic the site was in terms of the recognition deserved by such an important, crucial historical figure as Sir John A. Macdonald, the first thought I had was, "You know, the Americans would do this a lot different." They might go to a little further extreme than we would, because we have different approaches to patriotism and our history, but nonetheless, the point in my mind was, "This is so sad."

We want to do so many things on the world stage, and have done so in the past. I see some young people here today. In the future, hopefully they'll be leading our nation into even greater glories, if you will. To begin that process without even properly recognizing Sir John A. Macdonald really bothered me. That's why I wanted to take a moment to come in here and speak to this, because it bothered me.

It bothered me that as a society we didn't care enough about our history and have enough pride in our history to ensure that we reflected proper respect and remembrance

of the first Prime Minister of our nation. To apply that here, to ensure that Premiers, whether one personally agrees or disagrees with their policies, are recognized, that that office is respected, that the office of Premier is an important part of our parliamentary tradition and certainly a key role in our governance structure—again, we as Ontarians should take some pride in our history. We can't expect the following generations to have the feelings about Ontario and Canada that we have without giving them some significant symbols of what that has meant to previous generations.

All I really wanted to do was put on the record that I'm glad Mr Peters brought this forward. I commend him for doing so. It's one of those small things that will not likely appear in a whole lot of media, but it's the right thing to do. I think Mr Peters—I'm assuming this will pass at the end of the day—will have left his mark by ensuring that as a people and as a society we are leaving our generational markers in place for future generations to learn from and be respectful of. Again, my congratulations to Mr Peters. I'm glad this is here; it's the right thing to do. It's long overdue.

Mr Frank Mazzilli (London-Fanshawe): It's certainly a privilege to rise and speak on this bill, as parliamentary assistant to the Minister of Tourism, Culture and Recreation. I want to thank the member for Elgin-Middlesex-London for coming up with this initiative and this idea. As he said, the federal legislation, which did virtually the same thing with some more complexities to it, was only done a couple of years ago so this isn't a situation where somehow in this country this was being done in other provinces or at a national level; it's something that's been neglected by everyone. I also want to thank him, not only for the initiative of the bill but for the history lesson itself, through his 10-minute speech, one that I certainly found very informative.

Ontario at the present time does have the Ontario Heritage Foundation provincial plaque program, which is different from what is being proposed by the member from Elgin-Middlesex-London. In fact, that plaque program recognizes Premiers, and there are plaques for 14 Premiers in this province. However, they're located either in their birthplace or in their constituency. As you look through the schedule that the member has attached to his private member's bill, it's somewhat different. People obviously choose their resting place in locations that are not, in some cases, their birthplace, that are not in the constituencies where they have served throughout their time.

Part of the educational program that I received through your speech was the pedigree of the former Premiers and how that is still represented in this Legislature today through the grandchildren and children of those Premiers. After hearing the member from Elgin-Middlesex-London, it's a wonder that some of us who do not have that type of history in our bloodlines, if you will, have ended up here. At some point, that may also change.

The one thing that the ministry has acknowledged, and the member from Elgin-Middlesex-London will acknowledge, is when the federal program was initiated, it started

out with \$500,000, and that has quickly gone to some \$1 million. So these are initiatives that will have to be looked at. The bill certainly does not explain how and who will pay for certain items of preservation. I suspect that once the government takes on these initiatives, the taxpayers of this province will have to look at those issues.

One thing I will say is that the member has come up with the initiative and the thought of respecting and acknowledging former Premiers of this province, and I believe in that concept. I'm certainly proposing that the ministry have a look, and if they need to write a government bill that does the same thing, I would be supportive of that initiative, where it does require money to be spent.

I know my seatmate Norm Miller from the great riding of Parry Sound-Muskoka, where his father represented this Legislature as Premier of this province, certainly wants to speak to this important issue. All in all, I want to congratulate the member from Elgin-Middlesex-London. I think we can work through the issues of privacy and funding for this important initiative, and I hope that at some point in the near future, we can have an act that will respect former Premiers of this province.

1120

Ms Caroline Di Cocco (Sarnia-Lambton): It is with great pleasure that I rise and speak today on my colleague's bill requiring that the Minister of Tourism, Culture and Recreation mark gravesites of former Premiers of Ontario. I believe that my colleague Steve Peters has brought forward this bill because he has a commitment to heritage. As the critic for culture and heritage for the Liberal caucus, I would also like to state that I certainly have a very strong commitment, as does Dalton McGuinty and the Liberal caucus, to heritage and culture.

I believe it's these small steps that we as legislators can bring forward, these types of bills, that actually leave a legacy for our future generations. I want to thank Steve Peters for bringing forward this bill. A few years ago, as Steve indicated, in my riding, we commemorated—or we unveiled, if you'd like; I don't know how else to put it—the gravesite where Alexander Mackenzie is buried. He was the second Prime Minister of Canada, and he also was an MPP, a member of provincial Parliament. There was a year when he was both MPP and MP and he served in both capacities at the same time.

What it showed us in Sarnia, what it did by having this gravesite as part of a national heritage designation, if you want to call it that, was it gave the opportunity for the community to understand better some of its roots. Not only did we as a community look at the history of this second Prime Minister—most of the community didn't know the second Prime Minister of Canada had been a resident of Sarnia and had worked and lived in Sarnia-Lambton—it provided us, as people in Sarnia-Lambton, the opportunity to take a look at where we come from, what helped to build us as a community, what helped to build us as a nation. It had a remarkable impact, in my view, in helping us, as residents of that area, to better understand that past and to look at where we are today.

I took a look at one of the clips I saw from the London Free Press on December 4, which was a thumbs-up and talks about how "Peters's plan must not be buried." It says, "Our past is often ignored. Let's hope somebody pays attention to Steve Peters tomorrow.... [As] it stands, anyone stumbling across the St Thomas grave of Mitchell Hepburn wouldn't know it marks the resting place of an onion farmer who hated pomp, appealed to immigrants and led Ontario from 1934 to 1942."

I believe it's important, fundamentally important, to us as a society to ensure that we preserve our past. Steve Peters has already spoken about some of the achievements of the past Premiers in Ontario, so I won't reiterate that. He already said that for the record. But one of my biggest concerns in this province is that this whole aspect of culture and heritage seems to be dealt with, in my view, with a great deal of indifference in this Legislature, on a bigger scale. That concerns me a great deal, because I think indifference to heritage and indifference to culture lessens us as a society. Unfortunately, we're losing much of our heritage here because we don't have a Heritage Act that has teeth. That word is not spoken; I don't believe it has been spoken in this Legislature for all the time that the Conservatives have been in power.

Culture and heritage has had the deepest cuts as a ministry, deeper than that of the environment. First was culture and heritage and second was the environment, which indicates to me the priorities, or lack of priorities in those sectors. It's an unfortunate non-understanding, in my view, of the value of culture and heritage.

I believe that ministries in a government are like a mosaic, and I'm going to use my analogy of how I believe we should be treating all the various ministries. What I believe is that a mosaic is made up of many, many parts. Some of the parts are larger, some of them are smaller, some of them are more colourful and brighter, and some of them are less colourful and bright, but we need every single piece to complete the whole picture. That's one of the rationales, that although culture and heritage are not at the forefront of the urgent priorities of the province, they should nonetheless be important, because it is important as a part of who we are as a people.

This initiative by Steve Peters, I believe, shows not only his commitment to history but his commitment in preserving that sense of identity that we need. We always talk about, as Canadians, we don't have a sense of identity. But we do. We just unfortunately either take it for granted or we treat it with this terrible indifference. I'm going to say it again: I want to thank Steve for his initiative, and I'm hoping that this Legislature will pass this bill for third reading, because it certainly will leave a legacy that will be felt and be appreciated much more in the future than it probably is today.

I want to talk a little bit about some of the losses of heritage, losses of identity that we're seeing day to day in this province because we don't have the political will to really address this whole aspect of heritage with any substance. We have our first Parliament buildings, for instance, in the riding of my seatmate that many groups

are trying desperately to save, many groups are trying desperately to attain funding to assist, because we also have to put some dollars into the preservation and maintenance of our heritage in this province.

This is the only province that doesn't have a provincial historical museum. We have seen a number of the community museums across this province being literally devastated because of the deep cuts, and many small museums that preserve that history of those small communities have been whittled away, with \$5,000 taken away here, \$10,000 taken away there. It's impossible for them to maintain that service because there's always this sense, "These museums should be making money." Well, there's another service that they provide. They're not a business in the way other businesses are, and one of the, if you want to call it, very narrow perspectives that I often see is that certainly the government knows the cost of running these small museums, but unfortunately it doesn't equate the value of what it is to have a museum in a small community.

In my view, in these instances it's being penny wise but certainly pound foolish long-term, because this is also a part of an industry that creates a tourism attraction. If you have a sense of identity in our communities, if you have a strong sense of history in a community, that's what makes that community interesting. That's also what makes the province interesting. It makes it unique from another community. It gives it a sense of identity. So the long-term intangible benefits as to the value of having that sense of identity will also translate into a very strong economic return as time goes on as another industry in the areas.

1130

I was up in Moosonee, for instance, in James Bay. I needed a day or so to relax, and I took the Northlander up to Cochrane and then from there I took the Polar Bear Express and went up to Moosonee. It was my couple of days of quiet and enjoying the area.

I was speaking to someone from the Ministry of Tourism, and he mentioned to me how there is now this initiative just recently to promote tourism in Ontario. Then I equated it back to my trip that I took up to Moosonee and also the constant fear that the Northlander may be shut down. We know there's a section in the new budget bill that was passed to allow the Northlander commission to be able to regulate whether or not they're going to shut down the Northlander. I've certainly heard the debate.

So on one hand we want to promote tourism and we want to promote these, if you want to call them, unique niches that are nowhere else in the world, yet the actual infrastructure that's going to take you there is in a precarious state today. That's because there isn't this holistic approach. I believe it was Jane Jacobs who said that when you take one piece out of this habitat, there are many other things that are going to be impacted by it.

When I was up in Moosonee, I noticed that there was a huge history of the Hudson's Bay Co in Moose Factory. But it was in terrible disrepair. It had fallen into disrepair, and one of the reasons, of course, is because there has

been no fiscal support to maintain that after—I believe the last time was the centennial year. So there doesn't seem to be any interest to develop and maintain that heritage infrastructure or the heritage identity of this province, but there is the big push to promote or to market the tourism niche. In my view, one will fail without the other.

Having this initiative of preserving as a beginning—and again I commend my colleague—this provincial history at least starts to give us a bit of a sampling, across the province, of how we have evolved politically in this province and some of the gains that were made. One of the interesting aspects about this kind of provincial history is that we're dealing today with many, many of the debates and discussions that were dealt with in the 1800s and early 1900s. It's interesting, because when I was reading about John Sandfield Macdonald, the first Premier, he talked about how he feared Toronto's domination of his St Lawrence Valley region. He had this sense that Toronto was going to take over in priority.

There was another one here that I also thought was quite interesting. It's about Sir Oliver Mowat and the fact that under his leadership, Ontario came of age economically, socially and politically. Agriculture was modernized, the importance of industry was recognized and educational and scientific areas were cultivated. You could take those words and I believe you could put them in today and they would still be relevant to what government is trying to do and the intent of what every party puts forward as a platform.

I certainly hope this Legislature will pass this bill. I want to say this is a good step forward. I'd like to see a lot more initiatives such as this. Thank you, Steve.

Mr Michael Prue (Beaches-East York): There is absolutely nothing in this bill that would cause me or should cause anyone else to vote against it. It is a bill that will help to preserve the heritage of this province. It will help to recognize people who need to be recognized. It will help to recognize people who need to be recognized. It will help the general public to understand the final resting place of many great individuals and, I think just as importantly or perhaps more importantly, to have a sense of the historical perspective of those people in the life of this province.

Heritage, unfortunately, has never been a high prerogative of this government—or any government, I would say—in Ontario. One can go all around the province and find places where heritage has not been accorded the degree of commitment that one would expect and in fact that one sees in many other places in the world and even many other places in Canada. One need only go to Quebec City to see the whole development of their heritage, of the downtown and lower town of Quebec City, to understand how the preserved heritage in that municipality and in Quebec itself, as a province, has been restored, kept and nurtured. It's a whole *joie de vivre* about not only who they are today but who they have been over the centuries.

I am glad to see that this may be one small step that will get Ontarians thinking of how important heritage is

to our community. Unfortunately in our community over the past, buildings have been torn down or modified so that they can no longer be enjoyed or understood. The legislation in this province in terms of heritage is extremely weak. As of the passage of the new Municipal Act, municipalities have no more authority than they have had for 149 years in terms of preserving their heritage. All they can do is delay the destruction of heritage buildings by six months—nothing else, nothing more, period. That is sad.

In this province, historical bodies have been starved of money. There is no money to plaque, there is no money to educate the public, there is no money, or very little money, to do the work of explaining to Ontarians and Canadians and people around the world the uniqueness of this province: how this province has played its role in Confederation, how this province has been home to hundreds and millions of new immigrants, how this province has developed from what was a wilderness just a couple of hundred years ago when the first people came. I'm not talking about our native people—they were here already, of course—but when the first European settlers arrived, this was very much a wilderness. Life was very hard and it was a very difficult place in which to live. But they carved out of that wilderness the place we see around us, the wonderful place we call Ontario.

This province is also a sad place where museums are forced to close because there is no money. It's already been stated that museums are not even opened. We are the only ones without a provincial museum to talk about our heritage and our past. Museums are closed. I think recently of the heritage museum in Toronto that had to close called the Pier, down on the waterfront, I guess about a kilometre from this location. It had to close for the mere amount of about \$100,000 because there was no money left in the municipal coffers to keep that museum going. Things have been underfunded to such an extent that a museum and heritage site of international recognition in the east end of the city called the Brickworks has never been able to fully open. It has a park surrounding it, but the buildings lie in ruin. There has never been any money to maintain them or fix them up or get them going again.

The original Parliament buildings have never been properly dug up and only now are attracting some interest. Fort York is having highways go all around it and has never been able to develop, although that was the site of one of the great defences of this country in 1812.

In this very Legislature, I don't think we have paid enough attention to heritage. There was a bust of Agnes McPhail, who was not only the first woman to be elected to the House of Commons in Ottawa in 1921, where she served with distinction for more than 20 years, but she was also—and many people do not remember this—the first woman elected to this Legislature in 1945. No woman was elected to this Legislature until 1945, and she was one of two elected that year. There was a bust of her outside the Premier's office. I don't know what happened to it but I understand one day someone brushed by it and it fell over, was damaged and had to be re-

moved. It has been broken now for many years. There is a process that has to be undertaken to restore that bust and to get the necessary funds, but it involves legislative committees and money and it involves debate in this Legislature to replace it, and it has never been done. I hope the Legislature, hearing the debate today on the importance of heritage and the importance of recognizing Premiers, might also recognize that remarkable woman, the first one to be here in this Legislature, and find the necessary funds as well to make sure that bust, that statue, goes up in its rightful place.

1140

The Premiers, of course, all should be remembered. It is much more important to remember them in the local municipalities from which they came, much more important for people to see it than merely to read about it in history books, and much more important than merely to have the portraits hung here on the walls. Of course, the portraits are already here on the walls. Those who are lucky enough to come into Queen's Park, those who have a tour of this building, will see the portraits of all of the Premiers. They hang on the wall and everyone is proud and everyone is happy to see them here. But in the far-flung areas of the province where the Premiers might be buried, very little is known.

My colleague talked about going to Kingston to Sir John A. Macdonald's gravesite. I have myself visited the gravesite of another Prime Minister, Lester Pearson, in Quebec overlooking the Ottawa River. It's a very simple grave; there is no real plaque or monument or anything that would signify that that man, who was a great Prime Minister of Canada—there is nothing there.

There is nothing really there about the Premiers of this province either. They must be acknowledged and there must be plaques placed at or near the gravesites. But I am also suggesting that if the Legislature can find the funds, there should be a grove or an area somewhere here in Queen's Park—and there's a lot of land—where a duplicate plaque should also be put. I think that would be a really good idea so that all of them are available to people who may not ever come inside the Legislature but could see those plaques when they were out walking in the park or in among the flowers, the things that people often do around this park.

There was a good accounting by Mr Peters, the member for Elgin-Middlesex-London, of the Premiers. I don't intend to go through all of those, but in the time left to me I would say I was doing some research about some of the Premiers and wondering what to say. I came across one about Premier Whitney which I thought, in view of the announcements yesterday on privatizing electricity, might be of interest to the members opposite and maybe some others watching.

I read directly from a quote from the Honourable Brenda Elliott, what she had to say about Premier Whitney and electricity back in 1996. I would like this to be remembered about Premier Whitney, and perhaps an opposite plaque might, in 20 or 30 or 50 years' time, be said of someone else.

She says: "In the early years of this century, how to develop the electricity potential of Niagara Falls was the hot issue at Queen's Park. Everyone had an opinion, but the controversy ultimately boiled down to a struggle between two groups. One group supported the development of Niagara Falls by private sector interests. The other favoured developing Niagara Falls with public money.

"Ironically, it was the Liberals of the day who supported private sector power. The Conservatives, led by James Whitney, supported publicly funded development of the falls.

"In the provincial election of 1905, the public power supporters—led by Whitney's Conservatives—were elected, despite warnings from prominent financial papers in New York and London that these people were dangerous radicals, perhaps even socialists. Imagine that.

"One of the members of Whitney's cabinet was a young minister without portfolio—Adam Beck—whose name became synonymous with the cause of public power. In 1906, despite continuing controversy, the government pushed the Hydro bill through the House and Beck was named the first chairman of the Hydro-Electric Power Commission of Ontario."

I'm going to have to skip down to the end due to time.

"That magical moment, 90 years ago, serves to remind why we are here tonight. The electrification of Ontario and the part that Ontario Hydro played in that process are important aspects of our past. And they are part of our collective heritage, as a province and a society.

"For nearly a century, Ontario Hydro has provided high-quality service to the Ontario public, bringing the countless benefits of electricity to the people of this province. For that we must all be grateful.

"On behalf of the Premier and the government, as well as the people of Ontario, I want to take this opportunity to thank the Ontario Hydro board, its management and staff, for their tireless commitment to serving the people of Ontario. You, and your colleagues who have preceded you, have made our lives better—and brighter."

I was talking about James Whitney, and I hope the plaque somewhere says something good about his having done that. We need to save our past. This is a good bill to do a little part of that. I welcome it, I support it and I thank Mr Peters for his initiative.

Mr Norm Miller (Parry Sound-Muskoka): It's my pleasure to rise today in support of Bill 143, which has been put forward by Steve Peters from Elgin-Middlesex-London. Of course this bill is of personal significance to me as my father was Premier of this province back in 1985.

My father did many things. It was always mentioned that he sold cars. He was a chemical engineer. He was the member for Muskoka from 1971 to 1986 and he served in the government, first as Minister of Health, then as Minister of Natural Resources and as Treasurer—he was probably best known as Treasurer for five or six years—and he was Premier for a fairly short length of time, starting in 1985. Even though he was Premier for a short time, there was nothing he was more proud of than being Premier of this province.

I think it is very fitting that all those past Premiers, all 17 or 18 of them, be recognized and their contributions to this province recognized. That's why I very much support this bill put forward by the member for Elgin-Middlesex-London. I know he's very much interested in history. I believe he has a degree in history and that's probably why he developed an interest in this specific bill.

In 1999 there was a federal program that was started to recognize the gravesites of Canadian Prime Ministers, and that was the National Program for the Grave Sites of Canadian Prime Ministers. They have a brochure so that those interested in finding those sites can do so, and there's a Web site and other means of assisting people who are interested in the history. There were complaints from people trying to find out about many of our past prime ministers and that's why that bill originated. There is a cost, I think a reasonably significant cost in the case of the federal program. I believe it has cost about \$1 million, but the ongoing cost to run the program is something like \$100,000 per year.

This bill requires the Minister of Tourism, Culture and Recreation to mark the gravesites of former premiers of Ontario, and permits the minister to make agreements for the care and preservation of these gravesites, including marking them with plaques and with the Canadian and Ontario flags. As I think of my father and how proud he was of being Premier of this province, I'm sure he would love to have his gravesite marked in such a way. I just think of how proud he was to have had the honour of serving as Premier of this province.

It should be noted that the Ontario government currently has the Ontario Heritage Foundation plaque program, which recognizes important events, buildings and people, including former premiers. In fact, 14 of them have plaques marking either their birthplace or somewhere in their constituency telling about them. So the Ontario government has taken some efforts to remember our history, but this would be an important addition to that existing program.

Another important aspect of this program, as put forward by Mr Peters, is that it would only be done in consultation with the families and with the direct support and cooperation of the families of the deceased, so there has to be that co-operation.

1150

It is also worth noting that this program can be introduced immediately. It does not need legislation to go forward. That's certainly worth noting. It is going to be a positive way of commemorating Ontario's history. It is also worth noting that Bill 143 may conflict with the Cemeteries Act, so that's something that would have to be dealt with, and there are additional resources required to implement the program.

As you look down the list of all the past Premiers—John Sandfield Macdonald, Edward Blake, Sir Oliver Mowat, Arthur Sturgis Hardy, Sir George William Ross and Sir James Pliny Whitney—many had unique lives and contributed greatly to the development of the prov-

ince of Ontario. I think it is very much worthwhile remembering that history.

It's interesting to note there are three located in Mount Pleasant Cemetery alone: Sir William Howard Hearst, Sir Oliver Mowat and George Howard Ferguson, three former premiers in that one cemetery.

The member from Beaches-East York said that the Ontario government doesn't recognize history, doesn't contribute to museums. I'd just like to relate that my own personal experience has been—

Mr Prue: I didn't say that. They don't do enough.

Mr Miller: Don't do enough. In my experience in Parry Sound-Muskoka, I've been to the Parry Sound museum three or four times since being elected, in the last nine months. It's a very active museum. I'm usually there to announce some form of funding through a government program. I'd just like to mention my experience has been different.

In closing, I'd like to thank Mr Peters for bringing this bill forward. My father would be tickled pink. I'd like to personally thank him for bringing it forward. It's a great way of remembering all that the past Premiers have done for this province and I hope it is implemented.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm pleased to speak on this initiative. I would say it's a positive initiative that's been put forth by the member. It doesn't need legislation for it to actually come in place. Be that as it may, I want to mention that the Ontario Heritage Foundation, which is a non-profit agency of the government of Ontario, has been established and has done great work with respect to preserving, protecting and promoting Ontario's rich and varied heritage. Most likely that would be the agency to implement this piece of legislation if it goes forward.

An Act to preserve the gravesites of former premiers of Ontario is the initiative we are looking at here today. The Ontario Heritage Foundation already has a provincial plaque program. I'd like to make reference to some of the initiatives they have because one touches close to home, which is my riding of Barrie-Simcoe-Bradford in Simcoe county. The only Premier to have unveiled a plaque commemorating himself was the Honourable E.C. Drury, Premier during the administration of the United Farmers of Ontario from 1919 to 1923. It was unveiled in 1962 at Crown Hill in Simcoe county. I also know the family of the Honourable E.C. Drury, certainly Bob Drury, who served with distinction as the warden and also the reeve of Oro-Medonte, and other members of the Drury family who are in Simcoe county.

As part of the plaque program of the Ontario Heritage Foundation—I know the member is from this area of St Thomas—there are even plaques for animals. Jumbo, the famous circus elephant, was killed by a train in St Thomas in 1885. There's a plaque in St Thomas commemorating that. That's part of the work that has been done by the Ontario Heritage Foundation.

The local marking program that they also have at the Ontario Heritage Foundation is part of the work. I think the public should be aware of the tremendous work that is done by the Ontario Heritage Foundation in terms of

bringing about, promoting, preserving and protecting our heritage. Certainly there are ways to participate in that. I know they've got a Web site and other means of being connected in terms of the programs they provide, which have probably enriched the history and culture of any riding in any part of this province.

This is an initiative on Ontario's heritage that, as I said before, is a positive initiative. The former Premiers of Ontario—the member from Muskoka spoke very eloquently about his father, Frank Miller, who was one of that our Premiers name. What we need to keep in focus is the tremendous sacrifice that any person makes, in particular our Premiers, with respect to entering public life in terms of the challenges they face and the good works they do. Being a father of four young children, I think it's important for our young people that we know and emphasize our heritage, so they have a background and a rooting in our province and appreciate what has gone before, so that we can learn from our history in terms of moving this province forward.

Mr Peters: I'd like to thank everybody who has participated in the debate today and, most importantly, my colleague from Parry Sound-Muskoka, because he lived the life and seen the contribution his father made to politics. We also heard how proud he was of his father, that he had served as Premier of this great province.

Bill 143 would recognize the 18 graves of former Premiers and would also forever recognize future graves of Premiers living right now—we've had 22 Premiers serve this province. And nothing was intended to the Premier at all; it's sheer coincidence that we're debating this bill today as the Premier is about to depart this Legislature. We thank the Premier for the contribution he has made in serving the citizens of Ontario.

Of interest too—and the member from London-Fanshawe spoke about it—is the prominent role the London area has played in bringing forward Premiers in this province. You look at Robarts, Peterson, Blake, Ross and Hepburn—all within about 20 miles of each other. Those great seeds that were planted in the London area have served this province over the years.

I would ask that everybody support this bill, because this is a bill that truly does recognize those contributions of former Premiers in a non-partisan way. More importantly, it will preserve for future generations how important it is to recognize the past.

With that, I will close. To all my colleagues and to everyone in Ontario, I wish the best through the holiday season and into 2002.

The Acting Speaker: This completes the time allocated for debating ballot item number 40.

NIKKEI HERITAGE DAY ACT, 2001

LOI DE 2001 SUR LE JOUR DU PATRIMOINE NIKKEI

The Acting Speaker (Mr Michael A. Brown): I'll now place the question related to ballot item number 39.

Mr Wettlaufer has moved second reading of Bill 140, An Act to proclaim Nikkei Heritage Day. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, this bill will be referred to the committee of the whole House.

Mr Wayne Wettlaufer (Kitchener Centre): Mr Speaker, I'd like to have this go to the standing committee on general government, please.

The Acting Speaker: Mr Wettlaufer has asked that this bill be referred to the standing committee on general government. Agreed? Agreed.

GRAVESITES OF FORMER PREMIERS ACT, 2001

LOI DE 2001 SUR LES LIEUX DE SÉPULTURE DES ANCIENS PREMIERS MINISTRES

The Acting Speaker (Mr Michael A. Brown): We'll now deal with ballot item number 40.

Mr Peters moved second reading of Bill 143, An Act to preserve the gravesites of former premiers of Ontario. Is it the pleasure of the House that the motion carry? Carried.

Mr Steve Peters (Elgin-Middlesex-London): I seek unanimous consent to refer Bill 143 to the standing committee on general government.

The Acting Speaker: Agreed? Agreed.

All matters relating to private members' public business being complete, this House stands adjourned until 1:30 of the clock.

The House recessed from 1201 to 1330.

MEMBERS' STATEMENTS

PROGRESSIVE CONSERVATIVE POLICIES

Ms Caroline Di Cocco (Sarnia-Lambton): As this is the last day we sit in this legislative session, I'd like to recap some of the effects of the extreme neo-Conservative policies in my riding and across this province.

In 1997, it was the Conservative government that created the largest toxic hazardous waste dump in Canada in St Clair township. Today, Ontario is the only jurisdiction in North America that does not treat hazardous waste before it is landfilled.

Sarnia-Lambton has seen 14 schools closed because of a flawed funding formula created by the current Conservative regime. Parents, students and members of my community have watched helplessly as one school after another closes, tearing the heart out of neighbourhoods.

Today, 70% of people who need home care need it because they are released from hospital too quickly, yet home care has been cut. Yet Cabinet Office's costs have

increased by 116%. This government has borrowed \$10 billion for tax cuts and added \$22 billion to the debt.

The ultimate question after six years of uninterrupted, unprecedented growth: have we seen an improved health care system, a stable and improved education system or better environmental protection? The answer unfortunately is no.

ACHIEVEMENTS OF PREMIER

Mrs Julia Munro (York North): I'm pleased to be able to take this opportunity to reflect on the achievements of our Premier, Mike Harris, and his commitment to York North during his time as party leader and Premier.

Mike's 20-plus years at Queen's Park have included more than 11 as leader and six as Premier. Mike has always spoken and acted consistently on the issues affecting us all: eliminating the deficit, cutting taxes, creating a more efficient and accountable government, increasing health care spending, and enhancing community safety.

In my riding of York North, families have benefited from the Premier's direct approach. My riding of York North has always figured prominently in setting the course of action for our province and our party. In March 1990, at the annual general meeting of my riding association in the Sharon arena, Mike spoke to our membership about becoming leader of the party. Five years later, in March 1995, he spoke to us at the Briers. This time Mike was leader and I was the candidate for Durham-York. In June 1999, he chose Newmarket to announce the election, and ours was the first campaign office he visited. Just a few days before his announcement, he spoke to us at the home of Mike and Leah Springford in King township.

Under Mike's leadership, we have all made great strides. I'm sure all of you will join me in expressing our thanks to Mike Harris for his dedication to the people of Ontario. Thank you, Premier.

ONTARIO MUNICIPAL BOARD

Mr Mike Colle (Eglinton-Lawrence): People all across this great province are fed up with the Ontario Municipal Board, this government's anti-democratic dinosaur that overrides local taxpayers' and local governments' decisions in favour of developers who routinely bypass local councils and go directly to their friends at the dreaded OMB, where the same special interests, with their deep pockets, can afford to spend millions of dollars hiring the best lawyers and consultants money can buy to impress the nameless, faceless OMB, which even Judge Kennedy in London recently blasted, saying they denied the people of London natural justice. Even the OMB in London sent a lawyer to court in support of a developer's application against the good citizens in London.

The OMB has become a huge money pit as a result of the increased powers given it by this government. It routinely overrides and disregards the wishes of the peo-

ple, whether it be in allowing a development on Niagara fruit land, development in High Park in Toronto, demolishing affordable housing or building apartments on beautiful Reservoir Hill in London.

It's time to rein in this anti-democratic dinosaur and give our communities back their voice in planning and shaping their local communities.

ACHIEVEMENTS IN TORONTO-DANFORTH

Ms Marilyn Churley (Toronto-Danforth): I live in and represent an incredible community: the riding of Toronto-Danforth. I could stand here today and talk about all of the bad things that have happened in my community as a result of the so-called Common Sense Revolution, but what I want to talk about today and congratulate the citizens of my community on are our successes in fighting the Harris destructive agenda.

Our community, all of us working together, were successful in keeping the Riverdale Hospital open, despite this government's attempts for two years to shut it down. We won that fight. We fought the Harris government and we won it together.

We, together, in the community of Riverdale and East York stopped the closing of 11 schools that the Harris government wanted to do. We got together as a community and we fought back and we fought back hard, and those schools are still open, thanks to the good work of the people in my community.

We were successful in keeping the NDP's financial commitment to expand the South Riverdale Community Health Centre. The minister of the day from the Harris government finally went ahead and continued to give that funding, which of course would have fallen apart once the NDP left office, but the government did listen to us and provided that funding.

Finally, because I don't have time to go any further than this, we were successful in getting a third councillor in East York due to the hard work of the residents of East York after the forced amalgamation. Frances Lankin, Michael Prue and myself, working together with the citizens, fought the Tory government and we got the third councillor in place.

I congratulate the citizens of my riding for being able to take on the Harris government, fight back, and win.

SANTA CLAUS PARADES IN DUFFERIN-PEEL-WELLINGTON-GREY

Mr David Tilson (Dufferin-Peel-Wellington-Grey): One of the many pleasures I have in representing the riding of Dufferin-Peel-Wellington-Grey is the fact that I get to participate in a number of different and unique Santa Claus parades held throughout the riding.

In the past month I've participated in six parades, with the seventh and final one happening this weekend in Holstein. The only parade I was unable to participate in this year because of a conflict was in Arthur.

Some parades are large, detailed affairs, while others are intimate local events. Both seemed to be enjoyed equally by the audience. The Holstein Santa Claus parade is always a unique experience that is enjoyed by young and old. In Holstein, the parade is non-motorized, so every imaginable sort of transportation is used to entertain the crowd.

If you haven't had the opportunity to attend this fun day, I would encourage you to do so this year. As a father of a three-year-old just discovering the excitement of this holiday season, I would recommend the fastest way to get in the Christmas spirit is to join or watch a Santa Claus parade.

To all of the organizers in Bolton, Orangeville, Shelburne, Erin, Grand Valley, Arthur and Holstein, thank you for taking the time to put together these wonderful symbols of the season.

To all the members of the Legislature, Mr Speaker, and to you, as well as the constituents watching from home, I would like to wish you all the best of the holiday season. May your homes be filled with family and friends as you celebrate this wonderful time of year. Merry Christmas and happy new year.

CONSTRUCTION LABOUR MOBILITY

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): My statement today is addressed to the Minister of Labour. Minister, last Monday you held a press conference in Ottawa on the Quebec-Ontario construction labour mobility agreement that you signed two years ago. From day one I have told you, Minister, that Quebec would never respect this agreement. I think this was just a big publicity stunt. Now you agree with me, and I quote: you said that the agreement doesn't work.

Well, Minister, when I told you that I had hundreds of examples of Ontario construction workers who were having problems working in Quebec, you didn't take me seriously. Here are a few examples.

1340

On the Champlain Bridge in Ottawa, Ontario heavy-equipment operators were let go when they reached the middle of the bridge. They couldn't continue working. How about the Ontario construction workers who were fined \$2,000 each for having construction tools in their cars parked on the Quebec side while working on the Ontario side? I could give you hundreds of examples such as this.

The solution is to stop all Quebec contractors from working in Ontario. You must do it now, before the bridges are closed again by the Ontario workers. Minister, bring back Bill 17, and don't tell me you can't enforce it, because right here I have the proof that this bill can be enforced.

ACHIEVEMENTS OF PREMIER

Mrs Tina R. Molinari (Thornhill): It is my pleasure today to pay tribute to our Premier, Mike Harris, for the

great job he has done in putting Ontario in the right direction.

Mike Harris began his term as Premier in 1995, campaigning on a number of promises, one of which was tax cuts for Ontarians, and he delivered on the tax cuts and many more. Setting the standard of keeping promises through his six years as Premier was unprecedented. He has changed the face of politics by being a politician who actually did what he said he was going to do: more jobs; tax cuts; 600,000 people off welfare; back-to-back balanced budgets for the first time in close to 100 years; the first Premier in over 40 years to win back-to-back majority governments, a testament to the people of Ontario's belief that our government, under his leadership, would keep the promises we made.

When our world changed on September 11, it was Premier Mike Harris who showed the strong leadership that was needed at such a difficult time.

Premier, in your final days as Premier in this House, you once again have shown your leadership by fighting for not only the health care of the people of Ontario but also the people of Canada. You are the only leader who has been helping working families in this province. I would like to thank you on behalf of all Thornhill residents and Ontarians for the outstanding job you have done in serving this province. I've been proud to serve under your leadership.

AUTOMATION OF SOCIAL ASSISTANCE SYSTEM

Mr Michael Gravelle (Thunder Bay-Superior North): I want to inform the Legislature and the public today about the shocking increase in taxpayers' money that's being spent on the automation of the province's social welfare system. To say the costs are spiralling out of control is a massive understatement. We already know that ministry payments to Accenture, formerly Andersen Consulting, have reached a staggering \$193 million. We also know that that money was well in excess of the cap that the government committed to spend on the project, and in fact the payment should never have been made until still-unproven savings were confirmed.

But it now turns out that the Accenture rip-off is just the tip of the iceberg. We have since discovered an additional \$280 million in costs associated with this failed automation project paid out to firms such as MFP Financial. So while the government says it can find no more money for health care, they paid out almost half a billion dollars to unsuccessfully automate a system that still doesn't work and has garnered no clear savings for the government.

It gets worse still. We've just learned that the ministry will be hiring more outside consultants to operate this new system for an additional three years. Apparently, this is happening because the ministry's own staff have somehow, inexplicably, not been trained to operate the new and still problem-plagued system.

Minister Baird, you've got to come clean on this scandalous boondoggle. How many more millions of dollars are you going to rip off from taxpayers to justify this disastrous project? The bill to taxpayers keeps going up, administrative costs are rising, and there are no savings attached to this venture. This is a mess. It must be exposed and it must be stopped.

EID UL-FITR

Mr Bob Wood (London West): Over one billion Muslims throughout the world have been observing a month of fasting and inner reflection during Ramadan. Ramadan ends with the sighting of the new crescent of the moon, and is celebrated by the festival of Eid ul-Fitr.

Literally the festival of breaking the fast, Eid ul-Fitr is one of the two most important Islamic celebrations. Eid ul-Fitr is a day of joy and thanksgiving. At Eid ul-Fitr, people dress in their finest clothes, adorn their homes with lights and decorations, give treats to children and enjoy visits with friends and family. A sense of generosity and gratitude colours these festivities. Although charity and good deeds are always important in Islam, they have special significance at the end of Ramadan. As the month draws to a close, Muslims are obligated to share their blessings by feeding the poor and making contributions to mosques.

Eid ul-Fitr also honours the universal values that are embodied in Islam—love of family and community, mutual respect, the power of education and the deepest yearning of all: to live in peace—values that can bring people of every faith and culture together and strengthen us as a people and nation.

I know I speak on behalf of all members of this House in extending our best wishes and greetings to the Muslim community in Ontario as they celebrate this auspicious occasion. To our Muslim friends: Kullu am wa antum bi-khair. In Arabic that means, "May you be well throughout the year."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

Mr Carl DeFaria (Mississauga East): I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

Clerk at the Table (Mr Todd Decker): Your committee begs to report the following bill, as amended:

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day / *Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques.*

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated December 12, 2001, the bill is ordered for third reading.

Mr DeFaria: I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

Clerk at the Table: Your committee begs to report the following bill, as amended:

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / *Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes.*

The Speaker: Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated December 12, 2001, the bill is ordered for third reading.

MOTIONS

HOUSE SITTINGS

Hon Janet Ecker (Minister of Education, Government House Leader): Pursuant to standing order 9(c)(iii), the House shall continue to meet until midnight on Thursday, December 13, 2001, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a five-minute bell.

The division bells rang from 1348 to 1353.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 83; the nays are 8.

The Speaker: I declare the motion carried.

Hon Mrs Ecker: Mr Speaker, I would just like to ask on behalf of all the members here if your staff would let us know how the page is doing later today.

COMMITTEE SCHEDULE

Hon Janet Ecker (Minister of Education, Government House Leader): I seek unanimous consent to move a motion—which has been circulated across the floor—without notice, relating to committee meeting times during the winter adjournment and to have the question on the motion put without further debate or amendment.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mrs Ecker: I move that the following committees be authorized to meet during the winter adjournment, and notwithstanding prorogation, as follows:

The select committee on alternative fuel sources, to consider matters relating to its term of reference pursuant to the order of the House dated June 28, 2001;

The standing committee on finance and economic affairs, from February 25 to 28, 2002, inclusive, and from March 4 to 8, 2002, inclusive, for pre-budget consultations, and on April 4, 2002, for the purpose of report writing;

The standing committee on justice and social policy, for up to two weeks, to consider the following bills: Bill 10, An Act to revise the Limitations Act; and Bill 31, An Act to facilitate the making, recognition and variation of interjurisdictional support orders;

The standing committee on the Legislative Assembly, to consider parliamentary reform, pursuant to the order of the House dated October 15, 2001; and

The standing committee on public accounts for up to 12 days during the month of February and during the first week of March to complete report writing, consider private members' public bills and to consider the annual report of the Provincial Auditor; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the Assembly during the winter adjournment or between the second and third session of the 37th Parliament, as the case may be, and that in any case the Chairs of the committees shall bring any such reports before the House not later than the first sessional day reports from committees may be received when the House next meets.

The Speaker: Mrs Ecker moves that the following committees be authorized to meet during the winter adjournment:

The select committee on alternative fuel sources, to consider matters relating to its term of reference pursuant to the order of the House dated June 28, 2001;

The standing committee on finance and economic affairs, from February 25 to 28, 2002, inclusive, and from March 4 to 8, 2002, inclusive, for pre-budget consultations, and on April 4, 2002, for the purpose of report writing;

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The standing committee on justice and social policy, for up to two weeks, to consider the following bills: Bill 10, An Act to revise the Limitations Act; and Bill 31, An Act to facilitate the making, recognition and variation of interjurisdictional support orders;

The standing committee on the Legislative Assembly, to consider parliamentary reform, pursuant to the order of the House dated October 15, 2001; and

The standing committee on public accounts for up to 12 days during the month of February and during the first week of March to complete report writing, consider private members' public bills and to consider the annual report of the Provincial Auditor; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the

Assembly during the winter adjournment or between the second and third session of the 37th Parliament, as the case may be, and that in any case the Chairs of the committees shall bring any such reports before the House not later than the first sessional day reports from committees may be received when the House next meets.

Is it the pleasure of the House that the motion carry?
Carried.

VISITORS

Mr Mike Colle (Eglinton-Lawrence): On a point of order, Mr Speaker: I'd like to welcome to the House staff and students of Vaughan Road Academy, including the brother of one of our pages, Andrew Persaud. His brother Raymond is here also from Vaughan Road Academy.

The Speaker (Hon Gary Carr): We do have a number of members who—we will probably treat this like a budget; we don't introduce all the members, because there are too many. It would take all afternoon, and I'm sure they would rather listen to some other things. But we do welcome all our colleagues who are here.

TRIBUTES TO THE PREMIER

Hon Robert W. Runciman (Minister of Economic Development and Trade): Mr Speaker, I believe we have unanimous consent for each party to make some brief remarks on the occasion of the Premier's last day in the Legislature and for the Premier to speak in response.

The Speaker (Hon Gary Carr): Is there unanimous consent? Agreed.

Hon Mr Runciman: It is a great honour and privilege for me to rise today on behalf of the Progressive Conservative caucus to pay tribute to Premier Mike Harris on what is likely to be the last sitting day of the Ontario Legislature with Mike Harris as Premier. This is a day to say thank you to a Premier and a leader for a job well done and to recognize the significant contributions he has made to our province. So there is, of course, an element of celebration today.

But there is also a touch of sadness, especially for me as a fellow member of the class of '81. I'm starting to feel old. There are just two of us left on this side of the House who were elected in March 1981 and have been in this place ever since, over 20 years, almost 21; a long time. I want to say a few words about those early days.

Mike Harris was recognized as a comer from his first days at Queen's Park. Premier Davis gave him the opportunity to be a parliamentary assistant and to train at the foot of a politician who knew the secrets to advancement: the member for Sarnia, Andrew Brandt. That tutelage paid off when on February 8, 1985, Mike Harris entered the cabinet of the late Premier Frank Miller, a wonderful man for whom all of us had the greatest respect.

Mike Harris served as Minister of Natural Resources, and I sat beside him in my capacity as Minister of Government Services. One thing that struck me back then was his air of understated confidence. It was the con-

fidence of someone who listens hard to understand the aspirations of the quieter folks who really make Ontario work. It's a powerful strength that others have underestimated at their peril and to their regret.

After the Liberal-NDP accord of 1985, Mike Harris served as our party's House leader. Those who were here at the time will vividly remember that that was a difficult and disheartening time to be a Progressive Conservative MPP. After the 1987 election, it got even worse. We were down to just 16 seats, our leader had been defeated, and many of us had been re-elected by the smallest of margins: 198 votes in my own case. But Mike Harris as our House leader was a tower of strength and a source of inspiration during those dark days.

Then in 1990 he took on a job that few people aspired to, leading a third-place party mired in debt and with few prospects. Sound familiar, Howard? But Mike Harris did take on that job, and almost immediately, David Peterson decided to call a snap election before our new leader had a chance to raise any money or find any candidates or come up with any new policies. We all know how that turned out. Premier Peterson was right that we wouldn't have time to develop a detailed policy platform, but Mike Harris made the crucial decision to fight that election on the one clear promise to cut taxes. In that campaign he earned the name "The Taxfighter," a badge of honour to this day.

No one would have predicted the outcome of that election, not even my friends in the current third party. But one important thing that I think of, again in retrospect, is that Mike Harris was underestimated. There's a story from that election that the late Colin Vaughan, a CityTV reporter, filed a report on the first day of the campaign as Mike Harris's tour bus, dubbed "Taxfighter One," pulled away from Queen's Park. Colin closed his report by saying, "There goes Mike Harris. Who cares?" Well, I think Mike Harris has always had a talent for being underestimated that has served him very well.

I also think that the period between 1990 and 1995 was a critical period if you really want to understand the success of the Harris government after 1995. Mike Harris led a caucus of 10 veterans and two newly elected, enthusiastic rookies. You'll remember that, Mr Speaker. We were still in third place, but I can tell you quite sincerely that our leader instilled and developed in our caucus, in our staff and in our supporters a sense of vision, a sense of mission, a sense of teamwork and a recognition of the critical importance of going out and talking to and listening to the people of Ontario.

Mike Harris led by example. He led by example in showing a respect for the views of ordinary Ontarians who for too long had been lacking in elected leaders. I believe that's been his key to success all along. As an aside, Mike Harris was an extremely well travelled party leader, and it may have been that familiarity with the names of the rivers, lakes and bays of the province that inspired Mike Harris in May 1991 to read into Hansard the name of every body of water in Ontario. On that occasion, the Taxfighter was attempting to prevent

passage of the NDP budget, with its tax hikes and \$10-billion deficit. That may go down as the last great filibuster in this House. It was very inspirational, Mr Speaker, as you remember.

This emphasis on keeping in touch with the people on Main Street goes to the heart of Mike Harris as an MPP and as a party leader and to his success as Premier. He always remembered that it was the people of Nipissing who sent him to Queen's Park and the people of all the communities, large and small, across Ontario who put him in the Premier's office. They trusted him to represent them, and he was committed to making sure that trust was honoured. That, I believe, is the heart of what Mike Harris is about: a promised made is a promise kept.

By the time Mike Harris ran in 1995, the biggest political hurdle he or any other leader had to overcome was the strong feeling Ontarians had that it simply didn't matter who they voted for. Over the previous decade, they had been fundamentally and systematically let down by all parties, who said one thing to get elected and did quite another once in office. That undermined the credibility of the process in the minds of our citizens. Mike Harris restored that confidence by seeking clear mandates, forcing honest debates and by keeping faith with the millions of Ontarians who gave him their trust. He said what he was going to do. He made no apologies for it. Even when the experts said, "It's impossible; it'll never happen," he told everyone who would listen. And when he was elected, he did exactly what he said he would do.

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Support or oppose his policies, everyone must concede you always know where Mike Harris stands and you can always count on him to keep his word. In 1995 that was radical, that was new. I believe Mike Harris has fundamentally changed politics in Ontario, and in Canada as well.

Ontario, because of Mike Harris's leadership, has changed. Because of Mike Harris, Ontario is a better place. I'm just going to briefly mention a few of those highlights: 192 tax cuts since 1995, more than 800,000 new jobs, nearly 30,000 new business start-ups, more than 600,000 Ontarians off welfare, the largest single expansion of parks and protected space in our history, the elimination of the deficit and breaking the yoke of onerous taxation, and much, much more. All of these things form a lasting legacy.

But I also want to speak of another legacy, a legacy which is personified by the presence with us today of Premier Harris's two sons, Mike Junior and Jeffrey. All of us in this chamber today, I believe, got into politics not because we sought the spotlight but because we wanted to make a difference. We wanted to make our neighbourhood and our hometown and our province a better place for ourselves, for our families and for those who come after us, to secure a brighter future for our children. I say through you, Mr Speaker, to the Premier, there can be no greater legacy than to know that you have made Ontario a better place for your own two sons and for all of our

children and for the generations of Ontarians that come after us. Premier, you have made a difference.

While Mike Harris will be stepping down as Premier with the thanks of a province that has benefited so much from the turnaround he has led, his will continue to be an important voice in the future of Ontario and Canada. We know that he will continue to speak from his heart because he loves his province and country, and we will be thankful that he will, as always, speak his mind, because his ideas are the right ones for our future.

Premier, you have given more than 20 years of your life to public service, you have made many personal sacrifices and you have earned the chance to take control of your own time again, to go fishing with your sons, to enjoy the beauty of our great outdoors or to spend it however you choose. The Progressive Conservative caucus has been proud to have you as our leader in opposition and in government and we all wish you every success in your future endeavours. Premier, Mike, thank you for all you have done for us and for our great province. Godspeed.

The Speaker: The leader of the official opposition.

Mr Dalton McGuinty (Leader of the Opposition):

Thank you very much, Mr Speaker. I'm going to do a couple of things today which I am not accustomed to doing. I am first going to say some nice things about the Premier and I'm going to quote Brian Mulroney.

Interjections.

Mr McGuinty: I did not vet this speech with my caucus, and I sense an insurrection of some kind here.

Let me begin with Mr Mulroney. He said that in politics you need two things—friends and, above all, you need an enemy. The truth is, the Premier and I have been adversaries. No matter the occasion, neither of us would shy away from that truth. But while we've not shared the same views, we certainly have a few things in common.

For one thing, we have shared this House. Michael Dean Harris has been a member of this Legislature for a remarkable 20 years. The member for Nipissing was first elected to the Legislature in 1981, and was re-elected in 1985, 1987, 1990, 1995 and 1999. I know that I speak for every member of my caucus when I say that of all those elections, we enjoyed the ones in 1985 and 1987 the most. Joking aside, that is a testament to the Premier's obvious political skills. Mr Harris has been a very shrewd, very tough and very successful adversary. Mr Harris's Nipissing constituents have re-elected him no fewer than five times. Our first job is to serve our constituents, and Mr Harris's constituents have clearly felt well served.

There's another bond that the Premier and I share, one that few people can completely appreciate. We've both been opposition leaders in the Ontario Legislature. That's a job that I know we both consider a privilege. But there are days, Mr Speaker, there are days. When you're travelling this great province in the dead of winter speaking to massive crowds, sometimes numbering in the tens, you can develop a little humility.

Let me tell you a true story. In the early 1990s, the very early 1990s, Mike Harris visited Carleton University, which was then in my riding. Before coming to town, Mike Harris's picture was posted around the campus, advertising the opportunity to meet with him. Little did I know then that this would be a harbinger of things to come—this advertising, I mean.

When the day and hour arrived, only one person showed up to meet with the leader of the third party. Mike Harris sat down and gave that one person one full hour. I know that Mike Harris got the job of Premier the old-fashioned way. He worked for it.

I have very fond memories of Mike Harris's days in opposition. Government members who were not there in those days would not recognize the then Mike Harris. Unlike me, he was always deferential to the Premier, and he never, ever made it his job to get under the Premier's skin. Heaven knows why it was that Bob Rae once said of Mr Harris, "He's never really recovered since being turned down from the lead role in Jurassic Park." That comment was surely uncalled for. I can assure all those elected since 1995 that Mike Harris was never obstructionist, unlike the opposition of today. There is no doubt in my mind whatsoever that it was purely a love of nature that compelled him to read the name of every lake and stream into the record of the Legislature. But even after six and a half years as Premier, Mr Harris continues to relish the role of opposition leader. I know that, and boy do my federal colleagues know that.

The member for Nipissing has served long enough in this House to serve with two generations of McGuintys. Like my father and like so many backbenchers in this Legislature, past and present, Mr Harris was underestimated by the political centre and the establishment. He wasn't given much of a chance to become leader by the so-called Big Blue Machine, and he wasn't given much of a chance to become Premier by the pundits.

That certainly didn't change when he took over his party. People forget what a mess that party was then in. Membership was down, morale was low and the debt was sky-high. Mike Harris turned his party around, and he turned it into a machine designed in his own image: aggressive, confident and uncompromising. Many people scoffed when he brought forward his Common Sense Revolution. Mike Harris didn't waver, and voters responded.

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Whatever our political views, those of us who have felt underestimated from time to time respect Mike Harris's abilities to overcome the limitations placed on him by the so-called experts of the day. And whatever our political stripes, those of us who have taken on the task of modernizing a political party respect the member's abilities to turn a political organization around.

The member for Nipissing—and this is not hyperbole—transformed his party. He also transformed politics in Ontario. The electorate has always wanted to hear our ideas, but now those ideas must be crystal clear and simple. The sound bite is more important than it was. The

backdrop is more important than it was. The ad is more important than it was. The message is more important than it was. The fundraiser is more important than it was.

Political scientists and journalists have already filled books debating these changes, but few would dispute that the member has transformed politics.

In 1995, some things did have to change, and Mr Harris undertook to attempt that change. We all know that we on this side of the House have thought—we know of what we've thought of that attempt, its content and its style and its consequences. I'm on the record on it. I'll have more to say on that front in the future. I look forward to making that case to Ontario voters. But this is not the occasion for that; it's an occasion to mark a decision Mike Harris made some 20 years ago, a decision to choose public life, to choose politics to fight for one's beliefs. It's a choice that takes courage, that brings great personal rewards, but that can also exact a price.

Andy Rooney, humorist of 60 Minutes fame, once said, "The only people who say worse things about politicians than reporters do are other politicians." And that's true, but politicians are uniquely qualified to understand the impact those things can have on our families. I know that as tumultuous as your time in public office has been, Premier, you and the people you care most about have also been through a great deal. I pay special tribute to your family, and especially to your two sons, Mike Jr and Jeffrey, for the sacrifices they have made.

Premier, I and my caucus wish you well in your personal life, and we support your request for privacy after politics. It's a short walk from this side of the House to that one, but you and I know how difficult and challenging a trip it can be.

I wish you the best on your next journey beyond politics. To the member for Nipissing, I say farewell.

Mr Howard Hampton (Kenora-Rainy River): Speaker, I want you to know at the outset that members of my caucus, when we were told that we were going to have a few words to say about the Premier today, indicated that this was going to be a caucus thing, and so they have some things they want to say, too, in addition to the few words that I want to say.

I have been in this Legislature since 1987; in fact, the member for Nickel Belt and I were both elected in 1987. I just want to point out to the Premier that I remember when you were over here with your 17 members. I want you to know that I actually did the numbers after you went to the much larger constituencies in 1995, and under the larger constituencies the 17 would have been seven. I just wanted you to know that, if you do the numbers.

In remarking upon some of the comments that have been made already, I and some of our other caucus colleagues were here for many, many, many hours as you read in the name of every lake and every river in Ontario into Hansard. We actually learned something from that manoeuvre. You will remember that during the megacity amalgamation debate we followed your manoeuvre and

we read in the name of every street and avenue in the city of Toronto for 11 days and 11 nights without recess, without anything so much as a washroom break. You'll also remember that immediately after that you changed the rules so that no one could follow your manoeuvre again. So some of us have learned from your manoeuvres, and I have to say that, while it was painful to listen to the lakes and the rivers, I'm sure it was equally painful to listen to the streets and the avenues for 11 days and 11 nights.

I want to acknowledge, though, in the brief time that I have what I think is the single biggest contribution that you have made to public life in Ontario. I want to acknowledge the debate that you have created, and it is a debate that now rages through every city, every town, every village, every hamlet of this province, and it is a debate which will go on after your time as Premier.

The debate that you have started is a debate about what should be public and what should be private. Yesterday the issue was very clearly, will we have a publicly owned electricity system or will it be privately owned, and what does that mean for people's lives? You have started a debate about whether there will be a public education system or a more private education system, and what does that mean for people's lives? Legislation that was introduced yesterday: will we have public utilities in charge of the distribution of water and sewage treatment or will we have greater private control and private involvement? In the area of health care, will we continue to have a publicly funded, publicly administered system, or will our system become more and more private?

This is a debate which I think all of us acknowledge rages everywhere in Ontario society today. It is not possible to go into a coffee shop, a gas station, a supermarket without hearing someone raise some aspect of that debate. I think people need to acknowledge that you were very clear, and you have been very clear, about your position and the reasons for your position and the outcomes that you believe in. You have not tried to soft-sell this; you have not tried to finesse it. You have been very clear in the positions that you've taken. If I may, I believe this is actually a healthy debate. It is a debate that needs to happen in Ontario today.

I said that my colleagues wanted also to join in, and I hope you will recognize, and we recognize, that when a party leader leaves office in Ontario there is a tradition in saying our farewells. We put partisanship and politics aside for a moment. We acknowledge contributions. I want you to know that this has been a bit of a challenge for our caucus. However, after a great struggle I can tell you that we have decided to abandon the partisanship of this, though I think you will recognize certainly the politics of what we are about to say.

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Mr Rosario Marchese (Trinity-Spadina): Premier, to mark your retirement, the NDP caucus prepared this small tribute to your departure because, for us and for you, it's like the Sound of Music. We apologize for any discordance that may occur to all present here, and to

you, Premier, and we do this with some trepidation and a great deal of modesty. Bear with us.

We're going to do it without music, because the discordance would be greater.

One, two, three:

Dough, you'll go make lots of dough

Rae, no longer seems so bad

Me, I'm not at Osprey Links

Fa, some golfing with the lads

"Ah so," the word you never said

La, you're off to la-la land

Ti, with tax cuts for your friends

That will bring you back more dough, ho, ho, ho

Dough, Rae, me, fa, so, la, ti — go!

Applause.

The Speaker: The Premier of the province of Ontario.

Applause.

Hon Michael D. Harris (Premier): Mr Speaker, I get the feeling the ministers are trying to run out the clock on question period. OK, I'll stay.

Applause.

Hon Mr Harris: I'll stay for a few minutes.

I am reminded today of the words of one of the greatest philosophers of our time, and you would understand that I would pick this great man as one of the great philosophers of our time, Yogi Berra, who said, "It's not over till it's over." That's not for a few months yet. I have lots more to do, but before it's over I have lots of people to thank, so let me start today by thanking some in this Legislature.

First, the members of our caucus, both past and present: I am touched that so many past are able to join us in the Legislature today. I know it hasn't, for all of you, always been easy. Many of the decisions that we've made have been difficult. Many of them have caused controversy. Many of them have affected your lives and the lives of your staff. Many of them have made it difficult even to get to work some days. They've not been without controversy, but we took those decisions and we implemented them with pride because we sincerely believed—in fact, we knew—that they were in the best interests of the people of Ontario. I want to say to my caucus, again, those who have been with me throughout this period and those still in the House, that I thank you for allowing me to always count on your support, your advice and, most importantly, your friendship and your loyalty.

To my colleagues across the floor, we have debated, we have disagreed, but I want to say this: I have never doubted nor ever impugned any motive of any one of you at any time, at any stage, or doubted your commitment to the people of this province or your dedication to public life. You have proven time and time again that this Legislature is a place where the citizens' voices are heard, where their battles are fought, and where their ballots do matter.

Today I particularly thank you, Dalton, for your very kind comments. I've never actually been leader of Her

Majesty's loyal opposition. I don't ever want to be, I don't wish it on anybody, but I know a fair bit about the hectic life you lead. I know something, as you indicated, of those town hall meetings in these large halls with 10 people. In my case, on more than one occasion, it was one person. I know how demoralizing it can be sometimes when you have a terrific message and you can't get it out to the people. It either doesn't get covered, or it doesn't get read or listened to, or it gets not what you believe it certainly deserves in attention.

I also know how much the travel means, from one's riding in Ottawa to Toronto and then of course, as leader, all across the province. I know how much your kids miss their dad. I want to say I admire and respect those, not only who run for office, any political office, but those who, particularly in this Legislature, on many occasions have to leave home to come here, and then I particularly admire those who are prepared to leave. I know that Leader of the Opposition is often a one-person show. I know how challenging it is, because I was in the official opposition, not as leader, and I know how even less attention was paid to us there. So it's an awesome responsibility, and I thank you for the kind words today.

I thank you too, Howard. I know I'm not supposed to use first names in here, but all you can do is throw me out. I'm on my way. I would like to say that I have not heard one member on all sides of the House—I've heard complaints about rule changes, but I've not heard anybody come to me and complain about the rule change that stopped the all-day or all-week filibuster as a vehicle.

I have experience as leader of the third party and I didn't like it. It's hard work. I have experience, as you know, of no money in the party coffers to help you travel and get your message out. While they often don't pay enough attention to those very interesting viewpoints of Her Majesty's official opposition, it is an even greater challenge to get something you believe in very strongly before the public.

I'm not going into policy today. I'm not going to re-hash any of those areas. I appreciate all the things that have been said. I want to say, though, to both the leaders of the opposition that I thank you for your kind and very warm wishes and send-off today. I wish you both the very best in your lives in a very difficult job. I stop short of wishing you the political success that gets you on this side of the House, but in everything else in life, I wish you the best.

Bob Runciman, my friend of close to 21 years now, spoke on behalf of my caucus colleagues, past and present. As you heard, he and I are the only two left on this side of the House of the class of 1981. The class of 1981 was 22 members. We went all across that back row. We thought we needed oxygen up there at that time. There had never been a fourth row in the Legislature. This was before the renovations took place. We were higher up in those days, as well.

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When we came into this Legislature, there had been six years of minority government, and we heard a lot

about the realities of March 19—that's when we were elected. I don't want to get into a lot of the details; many of you in opposition heard that. When the same kind of compromise wasn't required, when a majority government could move on without the give and take there had been in minority governments for six years, the answer was always, "Well, those are the realities of March 19." I would just say that the realities of March 19 became the realities of May 2, 1985. We learned a lot of lessons from the realities of March 19. The realities in 1985 were smaller opposition and third-party status. We needed to learn a lot, and we did.

I want to say thanks to the people of Nipissing, who have repeatedly shown their confidence in me, who have helped me keep true to my roots, who I hope are still willing to share the best fishing spots with me now when I have more time. I remember how I felt when I was first elected to this House. I remember feeling both proud and very humble: proud because my friends and neighbours had chosen me, humble because I realized how much they were counting on me to get the job done and scared because I wasn't exactly sure how to go about it all. Walking through those doors for the very first time, I realized that the people of Nipissing had placed and given me a sacred trust that had to be deserved and had to be earned and re-earned each and every day. So I say thanks to the voters of Nipissing.

To all my friends from Toronto, my friends from North Bay, my friends from all across the province: you've helped me, you've supported me, you've encouraged me, you've educated me, you've financed our party and you've made me laugh when I really needed somebody to make me laugh. There are a lot of days, particularly in opposition, and a lot of days in government, when one needs cheering up, and I'm glad that a number of you are able to be here with me today.

To my staff over the years, I know that you have given it all to me as well. It's been more than a job to you; it's been a cause. I want to thank you for the long hours, and I want to thank you for the professionalism. I still chuckle when I have to sign the timesheets to meet all the labour codes, standards and rules and regulations of the 37½ hours, and I wonder on which three days of the week you put in those 37½ hours. But that professionalism and that commitment has always meant a lot to me, and I think it's meant a lot for your professionalism in your field, because it has been a cause for all the staff I've worked with. I do have to say that for putting up with a sometimes very slightly grumpy boss on the very odd occasion, I thank you.

To the officers of this Assembly, the Speaker, the Clerk and all those who work hard to keep the democratic process running smoothly, you've served the members of this House well, me included, over those 20 years, and by doing that, the people of this province. I thank you for all your dedication.

I too believe that Ontario has the best civil service in the country, bar none. I want to thank all of them for their professionalism, for their dedication to serving the people

of this province, for their willingness to move forward with an agenda. Many have said we made changes, many changes. It required a professional civil service to implement those changes.

Of course, my thanks to my family: my father, who I still think of almost every day; my mother, who still knows how to keep me in line; my sister Mary, who couldn't get off work today; and my brother Sid, who was able to get off work today, for their advice and support. I'm especially glad, of course, that Mike Jr and Jeffrey are here today. They inspired me, they tested me—it's great training for question period. I'm delighted that they were able to join me.

I'll have other opportunities, I think, to talk about my more than 20 years as a member of this assembly, but today is my last opportunity to speak in this special place as Premier. As much as I have loved serving as Premier, I do want to say that I have loved being a father even more. So of course, I look forward to having more time to spend with my sons.

I want to thank the people of this great province. It has been an honour to serve you, it has been an honour to work alongside you, and I thank you for your support. Over the last six and a half years I've been constantly amazed at the strength and the warmth of the people of this province.

I want to mention a couple—young people like Joey Hache, who has been a real inspiration to me and to those around him. I met Joey when he was just 15. He had contracted hepatitis C through a tainted blood transfusion. While I have known him, he has battled courageously, not only with his disease but in the fight to ensure that all hepatitis C victims were compensated.

I remember the hard-working young families like Dave and Krista White of Barrie. Like all parents, they have high hopes for their 11-month-old son David. I want to thank them for sharing their dreams for David with me, for reminding me why we must continue working to strengthen Ontario, to remind me what we must do for future generations.

There have been many, many others, everyday people in towns across this province who have inspired me. I've met them in coffee shops; I've met them in the Legion halls; I've met them, sometimes, one at a time, sometimes thousands. It has always amazed me, I think, that the people of this province chose a small business person from North Bay—no political experience, not a political family, no involvement in youth politics, no desire to be involved in politics. I'm always amazed that you picked me as your Premier.

So I say to all the people of this province, thank you for giving me the opportunity, the opportunity to serve. Thank you for sharing your ideas and your advice with me. Through it all, your words have encouraged me. I received them every day. Down every street in every event, I received words of encouragement. Yes, there was the odd time I received some contrary viewpoints. But through it all, I received mostly encouragement. And that has meant more to me—I say that to Ontarians all across

this province, some whom I have no idea who you are. I don't know your name, but those words when you came up to me meant a lot to me.

This province has come a long way in the last six and a half years. There is still much more to do to make Ontario stronger. I'm going to continue working hard to build an even brighter future for everyone in our province. In whatever capacity the future holds, I will continue to serve as I always have, and that's with great pride in our province, with great confidence in our people, with great hope for Ontario's future, and with a great deal of thanks for having been given the opportunity of a lifetime: the opportunity to serve the people of Ontario as their Premier.

My friends, thank you.

Applause.

LEGISLATIVE PAGES

The Speaker (Hon Gary Carr): Just before we begin, I want to say to all the members, first of all, that the page who had a little problem is fine.

This is also the last day for all our pages. Please join me in thanking the pages for a wonderful job.

1450

ORAL QUESTIONS

CANCER TREATMENT

Mr Dalton McGuinty (Leader of the Opposition): I will make every effort now to return to the norms to which we have become accustomed.

My question is to the Minister of Health. This morning the Provincial Auditor issued a damning report on your privatization of after-hours cancer treatments in Ontario. The auditor said that you used a secret and closed process that broke the rules and that led to someone with an obvious conflict of interest getting the contract. You actually gave the contract to the vice-president of Cancer Care Ontario. That's the public organization which was having trouble meeting the demand for cancer treatment in the first place. On top of all that, the auditor said that taxpayers were actually paying more for these cancer treatments than if Cancer Care Ontario had been delivering the service itself.

Minister, what are you going to do now that you know it was a bad deal for cancer patients and for taxpayers?

Hon Tony Clement (Minister of Health and Long-Term Care): I feel honoured with the question. I would say to the honourable Leader of the Opposition, he certainly knows how to clear a room. I do appreciate the question.

From my point of view, I want to say for the record that of course we welcome the Provincial Auditor's value-for-money audit. We supported it from the very beginning. We want to ensure, of course, that tax dollars are spent prudently. I want to say to the honourable mem-

ber that the reports that came out from the Provincial Auditor do support the fact that the cost of radiation treatment in the after-hours clinic is approximately \$14,000 lower per patient than the treatment that would have been available in the United States, which is where these patients were going before the after-hours clinic was opened. That is clear from the auditor's report; that's what we said from the very beginning. The Provincial Auditor has supported our case that it is better to treat people closer to home and at less cost to the taxpayer of Ontario.

Mr McGuinty: Minister, the important figure here is this: you are paying \$500 more per patient in the private system than if you had provided that treatment in the public system. Yes, the treatment that you've got is cheaper than in the US, but it's not as cheap or as inexpensive as we could provide it for here in Ontario in the public system. That's the point. That's the point the auditor was making. You have ignored repeated warnings about the way you got into this contract and you have consistently defended this deal many times over in this Legislature.

The auditor has now said it was a bad process, and on top of that it's a bad deal for taxpayers. How can you justify paying \$500 more for cancer treatments in the private sector than we could have delivered here in the public system?

Hon Mr Clement: Actually, the honourable member's figures are a bit faulty. The differential between the after-hours clinic and regional cancer centres is about \$100 per patient. But that's if you can get in. The problem with the system as it was before the after-hours clinic was approved by this government was in fact they couldn't get in. They did not have treatment; they did not have access; they did not have a local Ontario solution. The only alternative, which the honourable member seemed to want to support, was going to the United States, going to Buffalo, going to Cleveland, at \$14,000 a patient. The Provincial Auditor has confirmed that was the case. We support the findings of the Provincial Auditor; we support the cost differential that he in fact has concluded is far more in favour of establishing an after-hours clinic than the alternative which was on the table.

Mr McGuinty: Minister, why don't you take responsibility for creating this mess in the first place. Shortly after you were elected, you delayed opening cancer centres and you shut down education programs for our radiation therapists and our oncologists. You gave us the waiting lists, and the Provincial Auditor today tells us that they aren't getting any shorter. So what did you do in the face of this crisis that you created? You resorted to your usual first resort: you looked to the private sector. The Provincial Auditor tells us that you didn't get that right. We're paying more in the private sector than we could have paid in the public system. So you screwed up what we were doing in the public system and you screwed up your attempt to bring this around in the private system. You've got it wrong on both accounts. How can you justify our paying more to have cancer

treatment provided for in the private sector than we could have done in the public sector?

Hon Mr Clement: I again state for the record that the alternative that was presented to this government was either longer and longer waiting times here in Ontario or going to the United States. That was the status quo. We did change the status quo. We did have an after-hours clinic. We are proud of the fact that we have eliminated the requirement to go the United States for cancer treatment.

But the honourable member doesn't have to take my word for it. Here are the results of the surveys done for those cancer patients who have used the clinic: 99% said they received excellent care; 95% would recommend the clinic to family or friends if they needed treatment; 90% said they had lots of support from other health professionals; 93% said they felt comfortable talking with physicians about their problems. Those are the people of Ontario who are happy with the clinic. They are happy to receive compassionate, excellent care in the province of Ontario. We're with the people of Ontario. We are proud of that result.

HOME CARE

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. In a few hours you're going to complete your hostile takeover of home care in Ontario. Bill 130 gives you all the power over home care, and I assume that you're going to be using this now to fix the suffering that you have inflicted on our families. I want to present you today with three specific cases of Ontario families.

First of all, there's Mr Frank Derango from North York. He's 67. He suffers from cancer. His 92-year-old mother is being released from hospital in two weeks. She is very frail and she suffers from Alzheimer's. She's going to need a lot of care when she comes home, as I'm sure you'll understand. Mr Derango has been told that his mother will not get any home care—none. He has cancer. He'd like to care for his mum, but he can't because he is too sick. Now that you're taking all the power over home care in the province, will you be issuing a specific direction to get Mrs Derango the care that she needs?

Hon Tony Clement (Minister of Health and Long-Term Care): To the associate minister.

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Thank you very much for the question. As you know, the bill hasn't even been accepted by the House. We have second and third reading to go today in the House. But let me say that our goal with respect to Bill 130 and in the future with all health care is to ensure that we provide the quality of care necessary to ensure that the people of Ontario get the services they need, in whatever avenue that leads to. With the new legislation today, we're going to be talking about an advisory council that takes into account hospitals, community care access centres, long-term-care facilities and community support services. We intend to

integrate all those to make sure that there are services for the people of Ontario.

Mr McGuinty: You are underfunding home care, you are eliminating local representation, those good community activists who are looking after our parents and grandparents. You wanted home care; you're getting home care.

Here is the case of Mrs Agnes Winterbottom from St Catharines. She's in her 80s, she's blind, and she's had her home care hours cut. She was embarrassed to have to tell us what the cuts are going to mean to her. Do you know what they mean to her? She's now only going to get one bath every seven days. She would like to get two baths a week. You have \$500 million for private schools. You have \$2.2 billion for large corporations. You tell me, now that you've got the full responsibility for home care, knowing there is that much money available out there, what directive are you going to issue to ensure that Mrs Winterbottom gets what she wants, which is nothing more than two baths a week?

Hon Mrs Johns: Let me say that our goal is to ensure that people in the province get quality care as close to home as we can offer it, so we will continue to work to do that.

But let me say that the opposition leads us to believe that this government hasn't put substantial dollars into health care and especially into community services and home care. In 1995 the budget was \$600 million. Today it is \$1.17 billion, an average increase in that time of 72%. We're going to use those dollars effectively to make sure we provide quality services across the province. That's our goal.

1500

Mr McGuinty: Madam Minister, when are you going to admit that demand for home care has skyrocketed because you're discharging people quicker and sicker than ever from our hospitals? Your funding is not keeping up with the demand.

Here's another case: Mrs Gould. She's 90 years old. She lives here in Toronto. She worked and paid taxes until she was 82 years of age. That's a remarkable accomplishment. She now has angina, she suffers from skin cancer, and she has a great deal of difficulty walking. Her daughter helps her with things like groceries, cooking and housework.

Do you know what she wants help for when it comes to home care? She wants a bath. She'd like to get a bath once a week. She's now paying for home care at a personal cost of \$1,300 a month. She only makes \$22,000 a year. You've got money. You've got half a billion dollars for private schools; you've got over \$2 billion for large corporations. Now that you have taken full responsibility for delivering every service under the home care file here in Ontario, what are you going to do to ensure that Mrs Gould and people like her get their fundamental needs met, like having a bath in their home?

Hon Mrs Johns: We brought forward Bill 130 because we needed to make some changes in community care access centres in the province. Our commitment to

the people of Ontario is to provide quality services, and we intend to do that. We intend to make changes internally within the community care access centres to ensure that dollars are pushed down to provide services for the people of Ontario. I look forward to working with the Ministry of Health, the boards at the community care access centres, the CEOs and the new executive directors at the community care access centres, because I know that together, in partnership with the communities, we can continue to provide solid, good services for the people of Ontario. That's our objective, and if the bill is passed this afternoon, I intend to work with all my partners to ensure that happens.

COMPETITIVE ELECTRICITY MARKET

Mr Howard Hampton (Kenora-Rainy River): Mr Speaker, my question is for the Minister of Energy. The sale of Hydro One means much higher prices for consumers and very big fees for your friends on Bay Street.

When I questioned you before about privatizing our electricity system, you said it wouldn't lead to much higher prices. You said there isn't the electricity transmission capacity, the electricity transmission lines, to move electricity out of Ontario and into the markets in the United States. But now your scheme to sell off Hydro One means exactly that, and the corporate directors of Hydro One have said that. This will free them up to build transmission capacity into the United States, where prices are much higher. Why are you following a policy that will lead to much higher prices for electricity in Ontario?

Hon Jim Wilson (Minister of Energy, Science and Technology): the honourable member, surely to goodness, knows that Hydro One is a regulated monopoly regardless of who owns it. The Ontario Energy Board sets the distribution and transmission rates in this province under this government. I know that under previous governments the Ontario Energy Board did not have the power to do that, but since 1998, under the Electricity Act passed by this Legislature, the Ontario Energy Board sets the distribution tariff and the transmission tariff. Therefore, things are the same in that area.

Second, it is Floyd Laughren and the Ontario Energy Board that have asked Hydro One to build another 1,000 megawatts of transmission line into the United States. Why? Because we want competition. And do you know what? Every once in a while electrons will flow this way and bring cheap power to the people of Ontario, and every once in a while electrons will flow that way, surplus power will flow that way, and bring cheap, clean energy to the people in New York, for example. Every day on my watch, for four years, we provide the power at peak time in New York City. We have been—

The Speaker (Hon Gary Carr): The minister's time is up.

Mr Hampton: Minister, you know full well that a company that's selling electricity into New York City at double the prevailing price in Ontario has no interest in lowering their price to sell in Ontario. Similarly, a com-

pany that's selling into Boston at three quarters more than the price in Ontario has no interest in lowering their price to sell into Ontario. This is about privatizing Hydro One. They build, as their corporate directors have said, the huge transmission lines into the American market. Then the private generators like British Energy or TransAlta or whoever else can take the private power they now have and sell it into the American market can say to Ontario consumers, "If you want power, you pay the price we're getting in New York."

The large manufacturers in Ontario, when this was just theory, used to support your scheme to privatize, but now Dofasco has come out and said that when they look at the real numbers, they're opposed because they know prices are going to go up. Why are you threatening industrial jobs in Ontario by following a policy that leads to higher prices?

Hon Mr Wilson: I wish the honourable member would stop misquoting John Mayberry, the present CEO of Dofasco. I've met with John Mayberry. John Mayberry is very supportive, as of last Wednesday, including in his op-ed piece. On three occasions in that piece he says, "I'm supportive of opening the competitive electricity market in this province." His problem is that we haven't gone fast enough and that we haven't sold enough of Ontario Power Generation to have enough competition so Dofasco can shop around for prices. And he's right. I agree with John Mayberry.

But if the honourable member wants to keep getting in our way, then the fact of the matter is there's not going to be any competition, because he keeps scaring away the competitors and he won't let them build electricity lines to get the electrons in here so we can have some competition. I ask that for once in his life he just listen to what he's saying, and what he's saying doesn't make any sense at all. It's very difficult to answer his questions; in fact, almost—

Mr Hampton: Minister, we can read John Mayberry's comments, we can read very clearly what he said: that your scheme, your dirty deal, is going to lead to higher prices for his company and for every consumer in Ontario. We understand clearly that this can mean jobs at Dofasco, jobs at Stelco and jobs at a lot of other industrial producers in this province.

But you know, it's going to rip off consumers in another way. This is today's reaction from Bay Street about your decision to privatize hydroelectricity in the province. One Bay Street executive said about the fees they could earn on the Hydro One privatization, "We're all just trying not to pee our pants with excitement." That is Bay Street, which stands to make \$200 million in fees just for breaking up these public companies and selling them into the private sector. My question to you, Minister, is, tell the consumers of Ontario why they should have to pay an additional \$200 million just so your Bay Street friends can have some excitement.

Hon Mr Wilson: I don't know where he does his banking. I don't know how he ever paid a mortgage. I don't know how he ever got this far in life. I can't change

the whole world. Fees are charged for IPOs. They are public fees. They'll be part of the prospectuses filed. We'll try and get the lowest fee possible, if that's what he's driving at. But the fact of the matter is that hundreds of people will be called upon to offer shares to the people of Ontario, to those who want to buy them, and yes, there are some fees for that.

The fact of the matter is that this deal, in terms of fees, will be no different than the thousands of deals that happen every day in this country. It makes this economy work. It makes the province work. It puts people to work. The NDP party is the only one that doesn't understand all this stuff. Why am I the only guy in the House that has to sort of educate them every day?

CANCER TREATMENT

Ms Shelley Martel (Nickel Belt): I have a question to the Minister of Health. This morning the auditor noted the following, that no effort was made by Cancer Care Ontario to determine if after-hour cancer services could be provided in the public sector, no effort at all; CCO violated the mandatory requirements of Management Board's procurement directive; CCO did not take the necessary steps to prevent the perception of conflict of interest; the contract has a most unusual clause which gives the private operator first right of refusal on any future private after-hours clinics established at other cancer centres; CCO kept the issue under wraps as long as possible to prevent the media from making it a political issue; finally, the performance bonus paid per case to the private operator is significantly higher than the bonus paid per case in the public sector.

Minister, where was your government during this fiasco, and will you now say that these services will be provided in the public sector?

1510

Hon Tony Clement (Minister of Health and Long-Term Care): The honourable member obviously has read the report, and there are some procedural issues that the Provincial Auditor has kindly highlighted for this House. There's no question that the auditor made the conclusion that it was the right policy, with some procedural questions. The honourable member is correct in saying this was not the procedure that we had indicated was necessary for Cancer Care Ontario. I can tell you that the Deputy Minister of Health indicated to Cancer Care Ontario that they had to follow Management Board of Cabinet procedures, and the Provincial Auditor found that they did not follow Management Board of Cabinet procedures.

This is indeed most concerning. We will be consulting with Cancer Care Ontario, which is of course an independent agency, at the earliest available opportunity to make sure they understand the rules and procedures that we follow in the Legislature and that we follow in the government. I thank the honourable member for highlighting a point where in the future some improvement must be made.

Ms Martel: If the truth were told, the minister would know that Cancer Care Ontario was told to follow Management Board directives after your government approved the deal. Where were you when this was happening? There is clearly evidence in the auditor's report that your government knew nothing about what was going on and didn't care.

The two important points from the contract are as follows: that CCO made absolutely no effort to look at what it would cost to provide these same services in the public sector, and your government didn't direct them to look at that either; secondly, it's very clear that the taxpayers of Ontario are paying significantly more per case to that private operator than would be paid as a performance bonus per case in the public sector, and that is clearly referenced on the chart the auditor has included in his report.

I ask you again, in light of the evidence that has been provided, will you now demand that these services be provided in the public sector?

Hon Mr Clement: No. In fact, let me quote from page 2 of the report from the Provincial Auditor: "The private after-hours clinic ... has enabled CCO to treat more patients close to home. In addition, the cost of radiation treatment at the after-hours clinic is approximately \$14,000 lower"—I know that's Canadian dollars, but \$14,000 lower—"per patient than treatment in the US." That's the conclusion of the Provincial Auditor.

Let me offer the conclusions of patients. One writer indicated, "Those opposing this approach to treatment of cancer are either ignorant of this situation or are simply political opportunists." Another writes, "The offer of treatment at Sunnybrook hospital greatly relieved any anxiety I was feeling at the time and has made the treatment process much less stressful." Another writes, "We are so impressed with the excellent quality care and services which you and your staff [at Sunnybrook] provide."

That's what the patients in Ontario are saying about cancer care treatment after this decision was made. We're on their side.

AFFORDABLE HOUSING

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Deputy Premier. Working families in Ontario are facing a crisis when it comes to affordable housing. You will know that the vacancy rate here is less than 1% and bulldozers are now lined up to convert that precious stock of affordable housing into high-priced condominiums.

My colleague Michael Bryant put forward a bill that would give back the city of Toronto's power to protect affordable housing. Let's admit it: there is a crisis when it comes to affordable housing in Ontario. Your government has done virtually nothing during the course of the past six and a half years. Here's a simple idea put forward by my caucus colleague. It won't cost this government a single penny.

Now the Premier has said—and he's on the way out, but you're going to be stuck with the consequences of this. Here's an opportunity to allow something to go forward, something the city of Toronto wants which will help them meet their concerns about making sure more families have a continuing supply, no matter how small it might be, of affordable housing. Minister, we understand what the Premier is on this. Will you support my colleague's bill to make sure there's more affordable housing in Toronto?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): No, I will not support the bill. Private Bill Pr22 is a departure from the policy of our government. This bill, while it may not directly conflict with the Tenant Protection Act, goes against the spirit of the act.

We believe in the development of affordable housing, and I can tell the member opposite that the news is good in that area, not only in Toronto but elsewhere. Developers now are interested in rental housing again. Interest rates are relatively low, as the member opposite should know. There's interest even from some of the labour folks in looking at agreements with respect to making housing affordable.

There's a problem in Toronto and the problem—I'm sure the member opposite appreciates it, and the members from Toronto sitting opposite and on this side of the House certainly appreciate it—is that the taxation rate is in excess of 400% higher on rental properties than on single family homes in the city of Toronto.

Mr McGuinty: Minister, you don't have to stand there and describe the problem for me. Your responsibility is to fix the problem. We've got somebody on this side of the House who's trying to fix the problem. It won't cost you a single penny. It's something the city of Toronto wants.

Let's take a look at your government's record. After six and a half years, rents—way up; affordability—way down; vacancy rates—minuscule; your mark when it comes to dealing with housing issues in Ontario—an “F.”

We have a positive proposal that's going to help Toronto's working families in a very real way. It's going to preserve affordable housing stock. The Premier said he was against this. I have no idea why he said that. You're going to be stuck with the consequences. It's a good idea. Why don't you recognize it as such? Let's do something for Christmas. Let's help Toronto's working families. Let's preserve affordable housing.

Hon Mr Flaherty: This is an issue that requires full and open debate, which private members' bills do not provide. If we're going to reduce taxes, as this government is proud of doing in Ontario, we ask the city of Toronto to address that issue. If you really want to do something to assist the affordability of rental housing in the large amalgamated city of Toronto, look at that multi-residential tax class rate. It's four times the residential tax rate. It makes it very difficult for any developer, when they do their costing on the affordability of the development of rental housing, to end up with a positive answer. It's getting better with lower interest rates now, but that's

a major tax challenge that needs to be addressed by the city of Toronto.

EMPLOYMENT STANDARDS LEGISLATION

Mr Jerry J. Ouellette (Oshawa): My question is for the Minister of Labour. I've recently been informed that the CAW union holds schooling days for GM workers in Oshawa. In these classroom sessions, the CAW's been explaining to the auto workers that the legislation for the 60-hour workweek will harm General Motors workers in the next contract renewals. The union fears that the automotive companies will use this new legislation as a bargaining tool and that the auto workers could possibly lose an important benefit because of this legislation. Minister, what can be done to clarify this misconception with the unions?

Hon Chris Stockwell (Minister of Labour): To the member for Oshawa, when you invited me to Oshawa to speak with the CAW about this piece of legislation, I took you up on it. We met with the union, with the union executive and the rank and file members. They asked the questions and we responded to the questions—both of us—and they seemed satisfied at the end of that meeting that it wasn't going to affect their collective agreements.

Let's understand a couple of things. The Employment Standards Act is a floor. Virtually all collective bargaining agreements improve the standard; they force the standard even higher. Collective bargaining means that if the union wants to collectively bargain a workweek, they can do so. That binds the union and the company to that work week. They've been doing it for a number of years.

In previous incarnations, before this bill, you could always work extended hours—48, 56—you'd just get a permit. That was always allowed to be done under collective bargaining. Absolutely nothing has changed. If the union wants to work longer workweeks, they should tell their employers and their employees and their union brothers and sisters that that's what they're going to negotiate. If they don't want it, don't negotiate it.

1520

Mr Ouellette: First of all, I'd like to thank the minister. He knows very well that I made a commitment that I wouldn't vote for the legislation until after he came out and spoke to my constituents on the issue, and he did do that. We did 500 phone calls, we asked every councillor, we asked all the unions to come out. He did a great job explaining it to them.

Minister, can you assure my constituents that this new legislation pertaining to the 60-hour workweek will not affect them negatively?

Hon Mr Stockwell: Obviously I believe it to be a positive bill. I believe the permit system was inadequate: it was breaking down, it wasn't being vetted and checked enough. I know there was opposition on the other side on the House that claimed the sky was falling with respect to the 60-hour workweek. Obviously it isn't. Of all the calls we take in the Ministry of Labour, the Employment

Standards Act has received less than 1% of the calls we've been getting since it was proclaimed.

The bill is a good bill. Collective bargaining is the right way to go about it. If unions want to negotiate a longer or shorter workweek, they can do so of their own free will through collective bargaining. They could do it before the Employment Standards Act was introduced; they could do it after the Employment Standards Act was introduced.

With great respect to the union leadership out there, I think they're operating under a misconception, or possibly potentially they're trying to disseminate information they know is inaccurate. That can't happen. We know it can't happen. When they finish this round of bargaining, the workers are going to find out that nothing really has changed.

ONTARIO DRUG BENEFIT PROGRAM

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. Minister, since you have already indicated this week that funding for the treatment of seniors who are going blind is not a priority for you, I think I can predict your answer to my question today, but it's nevertheless important to ask it.

Remicade is a new medication that has proven to be highly effective in relieving the symptoms of severe rheumatoid arthritis and advanced Crohn's disease. Remicade received approval from Health Canada last June, and unfortunately we know that it'll take months longer before you'll cover it in Ontario. Unfortunately, while you wait, very ill patients, people who were actually getting treatment when Remicade was on clinical trial, are having to go without that treatment because they can't afford to pay the cost out of their own pockets.

The added tragedy is that rheumatoid arthritis and Crohn's disease attack younger people, and they spend their whole lives trying to cope with this disease. Minister, this medication has proven that it can give people back a life. How long will you keep making people wait or making them pay to get relief from the debilitating effects of rheumatoid arthritis and Crohn's disease?

Hon Tony Clement (Minister of Health and Long-Term Care): As the honourable member probably is aware, the drug to which she refers has been approved for certain procedures by Health Canada and not for certain other procedures, for certain conditions and not for certain other conditions. It still has to go through a process through the Drug Quality and Therapeutics Committee in Ontario to be approved for the procedures or the conditions that perhaps the honourable member was referring to. I'd be happy to check on that, but that is my recollection off the top of my head.

Certainly once it is through that procedure, through that scientific analysis, then the government is seized of the issue and will respond in due course.

Mrs McLeod: Sadly enough, the auditor has told us that Ontario is one of the slowest provinces in looking at the benefits of new medications for patients.

Minister, in the case of Remicade, the concern isn't just how slow you are in approving a new medication; the concern is that you have decided that you're going to punish hospitals that continue to provide treatment to their patients. Hospitals could not turn these very ill patients away. They believed they were legally allowed, and furthermore that they were authorized, to provide treatment in that hospital setting. Your ministry is now planning to claw the treatment costs back from the hospital budgets. University Health Network, as one example, has been told that they will have to pay back \$38,000 out of the hospital budget because they dared to keep treating their patients.

Minister, it is unbelievable that you would actually punish hospitals because they just couldn't deny treatment that their patients needed. Will you withdraw this threat and allow hospitals to continue to provide treatment until you make Remicade available through the drug formulary?

Hon Mr Clement: I do have a bit more information for the honourable member. We have approved the Remicade drug for Crohn's disease but not for rheumatoid arthritis. I was right when I said that the DQTC is reviewing it. The decision has not come down.

If hospitals or any form of medical professional are in some way disseminating the medication, they are perfectly at right to do so, but we cannot cover the drug under the rules to which, the honourable member knows full well, until the drug goes through the appropriate analysis—scientific, independent, third-party analysis—for its application to rheumatoid arthritis. That is the status of that particular file.

ONTARIO'S LIVING LEGACY

Mr John O'Toole (Durham): My question is to the Minister of Natural Resources, Minister Snobelen, who is approaching his seat now, which is occupied by Tim Hudak.

Minister, Tuesday of last week—December 4, to be exact—I was listening to the CBC and they were reviewing the CSR, the Common Sense Revolution. I found that I was surprised, if not disconcerted. Jerry DeMarco of the Sierra Legal Defence Fund was commenting in a positive environmentalist aspect to the Common Sense Revolution. He said, "The creation of several hundred new parks and reserves was certainly a good thing ... something that previous governments had struggled with and failed at."

Could you tell me, should I be surprised and worried about this particular comment from the CBC, specifically from the Sierra Legal Defence Fund, at this time?

Hon John Snobelen (Minister of Natural Resources): I'd like to take advantage of this opportunity to calm the member for Durham just before Christmas. I know he's concerned about this, but I can reassure him that I have every confidence that the Sierra Legal Defence Fund will continue to sue the government of the day over issues on an ongoing basis.

But I think the point is that everyone recognizes the major accomplishment, no matter what group they're from, of Living Legacy: 378 new parks and protected areas, a little over six million acres of land protected for future generations. Especially I believe they recognize the accord between the environmental community, the forest industry and the government as being unique in the world. This has required leadership from each of those communities to make this accord possible, but that leadership was made possible by the strong leadership, the sense of commitment and direction provided by Mike Harris, and that's part of his legacy.

Mr O'Toole: First of all, I have to say I was surprised. The CBC—I thought I was on the wrong channel for a moment, but it may be something to do with their strike.

Minister, it's great to know that we have so much to be proud of that's being protected and sustained, and you should take some credit for that. You're protecting it for our children and for future generations to enjoy.

However, I live in southern Ontario, specifically Durham riding, where there are large tracts of land already developed in many cases. What is being done to protect land in southern Ontario for future generations, not just in my riding but across the great province of Ontario?

Hon Mr Snobelen: I thank the member for the excellent question. A member opposite commented that he was listening to the wrong channel, listening to the CBC. I don't know what that means.

I can say, speaking for all those who live in the south, that there has been significant ground gained in the term of this government. There are significant allocations of financial resources in 2002 to acquire even more land, but so far I think people will be familiar with acquisitions of important environmentally sensitive property on the Niagara Escarpment, the Lynde Marsh, the Rouge Park, certainly. This all adds to Living Legacy.

Some members opposite have from time to time called the Premier the Governor of Ontario. I think with this record of protecting the most precious parts of our natural environment for future generations, Premier Harris might be remembered as the Teddy Roosevelt of Ontario.

The Speaker (Hon Gary Carr): New question? The member for St Catharines.

Mr James J. Bradley (St Catharines): I would have thought the Warren Harding, Mr Speaker, but let me go to the Minister of the Environment with a question.

Minister, I've been informed there's something very concerning—

The Speaker: I'm sorry. I apologize; I have the wrong person. I was looking the wrong way. If we could stop the clock for a minute. There's about 10 seconds. The member for Beaches-East York.

MUNICIPAL WATER AND SEWAGE SYSTEMS LEGISLATION

Mr Michael Prue (Beaches-East York): My question is to the Minister of Municipal Affairs and Housing. Is he still here? If he's not, I'll go to the—

The Speaker (Hon Gary Carr): If you could hold on. Keep the clock stopped for a moment, please.

He's not? To the Deputy Premier, I suspect, then.

Mr Prue: Thank you very much, Mr Speaker. Mr Deputy Premier, I've had a chance to read the Sustainable Water and Sewage Systems Act which was distributed yesterday. I have to put it to you that I think this is a cynical attempt to use the tragedy at Walkerton as cover for your agenda to privatize municipal water and sewage systems. Specifically, section 23 of that document gives the minister the extraordinary power to allow the private sector to order elected municipal governments to privatize the operation of their water and sewage plants, or even to sell them off. That's the private sector giving the order.

1530

The bill also says that if you don't like the municipal plan, that is, if the minister does not like it, he can substitute his own, or, even worse, he can have the private sector implement plans drawn up by a non-elected company bent only on profit and at the trough to make decisions for municipal governments.

Deputy Premier, will you swear today before this House that it is not your intention to privatize any municipal water and sewage systems against their will?

Hon Jim Flaherty (Deputy Premier, Minister of Finance): There are a host of ways municipalities can use the private sector to deliver water and water services. Nothing in this legislation changes that. Municipalities must decide on their own what is in the best interests of their particular municipality in terms of their circumstances and how they can best deliver services and maintain infrastructure.

The challenge here, as I'm sure the member opposite appreciates, is that not all municipalities in the province of Ontario have adequately kept up their infrastructure with respect to water and sewers. Full cost pricing will assist in accomplishing that goal. I'm sure he shares that goal with me, that all of the municipalities in this province would have high standards in terms of the delivery of water and sewer services.

The Speaker: Supplementary?

Ms Marilyn Churley (Toronto-Danforth): Minister, full cost recovery may be a noble goal but, as you know, the road to hell is often paved with good intentions, and you are now on that road. What you should be doing to prevent another Walkerton is bringing in the New Democratic Party's Safe Drinking Water Act.

I'm asking you now, will you at least agree to amend the bill to ensure that it does not allow the province to force municipalities to privatize their water and sewer plants because they have no other way to raise the money to ensure full cost recovery? You had better make that commitment, Minister, because I'm telling you, mark my words, if you do not agree to change this bill so that can't happen, the New Democratic Party of Ontario will fight you every step of the way. I guarantee you the public will be on our side and we will win. So make that commitment today.

Hon Mr Flaherty: A former colleague of the member opposite, Betty Disero, the chair of the city of Toronto's works committee, had a look at this bill. She says, "The impacts of the legislation on Toronto will be minimal. We do that already, have full cost recovery. All water and waste water, it pays for itself." That's the quote from her.

Speaking about the road to hell that you referred to, it was the road to hell when the NDP was in government in this province and when the Liberals were in government: high spending, high taxes, creation of massive public debt, pushing off taxation to the next generation. That's the road to hell. That's what this province has recovered from in the last six years, after 10 years of Liberal and NDP fiscal mismanagement that we have finally corrected, and now we have a solid foundation in Ontario that we can build on.

Merry Christmas.

TOXIC WASTE TRANSPORT

Mr James J. Bradley (St Catharines): The finance minister forgot to mention the \$22 billion that the Conservative Party put this province in debt.

My question is for the Minister of the Environment. There's something strange happening in Ontario with toxic waste. You will know that the Alberta facility called Swan Hills was specifically constructed to deal with toxic waste, but there is toxic waste in the form of benzene sludge apparently being transported from Swan Hills, which one would think would be able to handle that substance, to the province of Ontario to, I understand, the Laidlaw facility in Mississauga. To my knowledge, the Laidlaw facility in Mississauga doesn't have a way to deal with benzene sludge, benzene being a carcinogen and dangerous at any exposure at all. Can the minister tell us what is happening with that sludge coming from Alberta to Ontario?

Hon Elizabeth Witmer (Minister of the Environment): I would be pleased to take the information that has been provided under advisement in order that I can provide the member opposite with all the information he requires.

Mr Bradley: I hate those answers. I think I gave one or two of those at one time.

I want to get back to the question. Keep in mind, and the Minister of Labour knows this, Alberta specifically built this facility to deal—

Hon Brad Clark (Minister of Transportation): For PCBs.

Mr Bradley: Not for PCBs, but all toxic substances. Now we find there's a toxic substance that is being shipped from Swan Hills, a toxic waste facility, through Ontario, making its way to Mississauga, the Laidlaw facility. The trucks are so contaminated they have to be decontaminated when they're finished delivering it there, and I'm surprised—I've given the minister time to go through her briefing notes to find the page on benzene or Laidlaw. I would like to know, if she's found the page, if

she can possibly explain to the people of Ontario how benzene sludge, a carcinogen, a very dangerous substance, is making its way into Ontario, and where on earth it would be treated. I think there's potentially danger to the public here. I thought the minister would have an immediate answer.

Hon Mrs Witmer: I appreciate the situation that has been shared with me, and I know the member has a very keen concern for the protection of the environment, having been Minister of the Environment himself in a previous government's life. I will certainly, as I said in my first question, endeavour to find the answers to the questions and the situation that have been posed, and I will be sure to respond as quickly as possible.

PROGRESS OF SANTA CLAUS

Ms Marilyn Mushinski (Scarborough Centre): I have a very important question today. In fact, it's perhaps the most important question of this session. It's addressed to the Minister of Northern Development and Mines. As Minister of Northern Development and Mines, I want you to shed some light on a particular issue that has recently been brought to my attention by a constituent of mine, who is particularly close to my heart; he's five years old and his name is Cameron and he happens to be my grandson. I'm sure, as well, your own children, the Newman children, have expressed some concern with respect to Santa's progress this year, especially in light of the unseasonably warm weather we've been having. Minister, as we all know, their excitement and anticipation is shared by many children, not only in my constituency or yours of Scarborough West but we know in many areas of the world.

As the minister responsible for northern development and mines and obviously for the North Pole area, and therefore the best qualified to address this concern, could you advise me and especially my five-year-old grandson on what steps have been taken to ensure prompt delivery of toys to children this Christmas Eve?

Hon Dan Newman (Minister of Northern Development and Mines): I thank the member for Scarborough Centre for the question. This is indeed a question that weighs on the minds of children across the province, from north to south and east to west, including the Newman children in Scarborough Southwest.

Mr Steve Peters (Elgin-Middlesex-London): Blame the feds.

Hon Mr Newman: I know the members opposite, including the member from Elgin-Middlesex, think I'm going to blame the federal government for this in my response, but I want him to know that the federal government's NORAD Web site is actually helpful in tracking Santa's whereabouts.

As minister of the north, I've been advised that Santa's now in the midst of checking his list and checking it twice, ensuring that all the kids have been nice. He's working hard with the elves to put the finishing touches on all the toys. I'm also told that Rudolph and all

the other reindeer have had a few test runs recently and will be ready for their long journey to homes across the province on Christmas Eve.

1540

Ms Mushinski: Thank you for that response, Minister. I'm sure that my grandson and your children are very interested in that, and I'm particularly happy and relieved to hear that Santa and his elves are on schedule to ensure a joyous and happy holiday for children in this province.

As we know, there is a tremendous amount of effort involved in getting the perfect gift for each child. I'm wondering if there have been any suggestions that you may have received from the North Pole as to how we as parents, grandparents and family members may be of assistance in Santa's overwhelming task.

Hon Mr Newman: Well, in talking with Mrs Claus and the elves recently, my staff have advised me that with the long flight by sleigh, Santa is often hungry and is quite fond of snacks. A cookie and a glass of milk always go over well with Santa.

Santa is also looking to moms, dads, grandparents and teachers across the province for last-minute advice on who's been naughty and who's been nice. So the message to kids across the province today is that there are only 12 days left till Christmas Day, and Santa knows of all the girls and boys who have been good or bad.

I would like to wish all Ontarians a happy holiday season and a safe and prosperous new year. As for the Newman children in Scarborough Southwest, they had better be good, because dad has a direct line to Santa.

HEALTH CARE FUNDING

Mr George Smitherman (Toronto Centre-Rosedale): Following up on that note, I have a question for the Minister of Health. It concerns the slow rate of progress with respect to a couple of health-related projects in my riding. One is the Sherbourne Health Centre, which, years after the forced merger of the Wellesley Central Hospital, languishes awaiting signoff from you. As well, your earlier announcement to attempt to push a massive homeless shelter on to the Princess Margaret site—Smitherman House, as the Minister of Labour, who apparently is leading this file, likes to talk about it—has evolved into an exciting proposal that's ready to give new life to this enormous former hospital site. Long-term-care beds have been approved; affordable housing units, as you requested, have been created; and housing, in the form of condominiums and townhouses, is designed to help pay for it.

But I'd like to ask the minister—I wish some of the people were here who were here earlier, like Leslie Noble and other great constituents of Toronto Centre-Rosedale like Ernie Eves and Isabel Bassett; they'd want to know, in the spirit of Christmas—why is it that this minister refuses to sign off on these projects and allow

them to move forward to the benefit of the residents of Toronto Centre-Rosedale?

Hon Tony Clement (Minister of Health and Long-Term Care): I thank the honourable member for the question, and I certainly wish all of his constituents a very merry Christmas, a happy Hanukkah and a successful Ramadan and Eid, of course, and other religions I haven't mentioned that have any form of holiday around this time of year as well.

I can tell you that the Sherbourne Health Centre is intended to serve various communities. It will serve the homeless and the underhoused, the gay and lesbian community, and mental health groups in the area. We have been meeting biweekly with the SHC board to work through some of the capital and operating issues since May of this year. There are still a number of issues, but I can tell you that the government has been there for some of the operational expenses and some of the capital development. I will reply on the shelter issue in the second part of my statement.

Hon Chris Stockwell (Minister of Labour): Can I? Can I?

Mr Smitherman: I see that the Minister of Labour wants to horn in on the territory of his colleague, but I'm going to go back to his colleague. I appreciate the words he has offered with respect to the Sherbourne Health Centre, except that the real story here is that Sherbourne has continued to offer all the information and answer all the questions your ministry staff have asked, and yet, as the attempts for this approval go up the chain of command in your ministry, they continue to get rebuffed. I'd ask you to pay some personal attention to this. I asked a question of the associate minister about two months ago, and quite frankly, progress in the time since has been quite anemic.

With respect to the issue of the Princess Margaret site, our demand there was that it not be operated as a massive shelter. The proposal the community has been involved in is an excellent one, and I would ask you, Minister, what is the delay in signing off on that so that the long-term-care beds and the affordable housing units and the market housing can be developed soon?

Hon Mr Clement: I am absolutely astounded that the honourable member is standing in his place in this House and fighting, at this time of year, against the shelter of our homeless people, shelter space in the city of Toronto. I cannot express fully my shock and astonishment with the honourable member on this side of the House.

As Minister of Housing, I worked with the Minister of Labour, I worked with the Minister of Community and Social Services to bring this shelter to the homeless in Toronto, to be there in their hour of need, in their months of need in the wintertime.

On this side of the House, we are with the homeless people. We want to have the shelter. We want to have Smitherman House up and running for the homeless who need that kind of help. That is the spirit of Christmas.

That is the spirit of this holiday season. We will not let the Grinches on the other side steal that away from them.

PROBATION AND PAROLE SERVICES

Mrs Julia Munro (York North): My question today is for the Minister of Correctional Services. Just recently, I came across a Web site which some probation and parole officers have set up. On this Web site, probation and parole officers claim that due to a lack of staffing and funding for community corrections, public safety is being put at risk. They claim that under our government, probation and parole officers in Ontario have the highest caseloads, and as a result, there are not enough staff to manage this.

Minister, I also notice that your office numbers have been listed on this Web site for anyone who wished to call with their concerns on public safety. Can you tell us what the Ministry of Correctional Services is doing to address these concerns?

Hon Rob Sampson (Minister of Correctional Services): I want to say I welcome any comment from the probation and parole officers across the province of Ontario, because public safety is indeed this government's top priority, which is of course why, early on in my appointment as Minister of Correctional Services, I did meet with representatives of the Probation Officers Association of Ontario to talk about the understaffing challenge that they have had in other governments, under the Liberal government and the NDP government. That's why in 2000, we committed to add 165 new probation and parole officers across the system throughout the entire province. That's a 25% increase in the number of staff.

Mr Dominic Agostino (Hamilton East): They're not hired.

Hon Mr Sampson: I say to the member opposite, it will take the work caseload down from just over 100 now to 80 which, by the way, it has never been at in the history of this province, especially under the jurisdiction of the Liberals and the NDP.

Mrs Munro: Thank you for your response, Minister. As part of the May 2000 budget, \$18 million was announced as part of your ministry's expansion of the strict discipline model for community corrections. I know that my constituents in the riding of York North will be happy to hear that their tax dollars are being spent by this government in their ongoing commitment to make our communities safer to live in.

Minister, can you tell us more about the strict discipline model for community corrections?

Hon Mr Sampson: There are, of course, two areas of business that we're running, one in the institutions, which is the actual jails throughout this province of Ontario, and then a sizable number—it's about 65,000 individuals—are sentenced to community sentences across the province of Ontario. They are supervised by men and women across this province in probation and parole offices around this province, in the justice system.

As I said in answer to your earlier question, we are expanding the human resources in that area to make sure that the caseloads are as manageable as possible, given the restrictions of the—

Mr Agostino: They're not hired yet.

Hon Mr Sampson: I say to the member opposite, it takes a while to bring in 165 individuals across the system and to make sure they're properly trained. We're at 80 now of 165. I think the member opposite would expect us to snap our fingers and put unqualified people in probation and parole offices across the province. I'm sure he wouldn't want us to do that. We are making sure that there are qualified people there to implement a very important program in this province, one which implements a strict type of corrections system, not only in the institutions but across all the probation and parole offices in this province.

SPECIAL EDUCATION LABOUR DISPUTE

Mr Howard Hampton (Kenora-Rainy River): My question is for the Minister of Education. The minister will know that at the Keewatin-Patricia District School Board, special education assistants have now been on strike for seven weeks. The issue is, because the board does not receive sufficient funding for special education, they've cut the hours of the special education assistants from seven hours a day to five hours a day. That's as much as a \$3,000-a-year pay cut. What is the Minister of Education going to do so that this board has sufficient funding to fund special education and give the special-needs children the attention they deserve?

1550

Hon Janet Ecker (Minister of Education, Government House Leader): I've been very concerned about the time it has taken to resolve this particular labour dispute. Obviously when there are disagreements between school boards, as the employers, and the workforce, it is always very difficult and very unfair to the students when that kind of disruption impacts on them. We've been quite concerned about how long this particular dispute is taking.

As the honourable member knows, it is between the employer and the employees, in this case the school board and the employees, and I would very much encourage them to do what they can to resolve this issue. All school boards are asked to do the same thing that we at the provincial government, municipal governments and many other organizations do: try to allocate their resources to live within their budget. I understand that's a very difficult decision for all of them to make, but it is their responsibility to try to resolve this.

Mr Hampton: Minister, you know that their ISA funding, their special education funding, is frozen at a level it was a couple of years ago. You know the need there. Your government has to address this.

But you have to address something else: while they don't have enough money in the special education envel-

ope, apparently your government has given them lots of money in the executive and supervisory pay envelope. While the board doesn't have enough money for special education, they were, from 1998, able to increase the pay of their director by some 9%, from \$100,000 a year to the neighbourhood of \$120,000 a year, and they now have five superintendents who are paid over \$100,000 a year.

How can your government provide the money for supervisory pay, such that we now have a board with five supervisory officers being paid over \$100,000 a year, but you refuse to provide the funding for the children with special needs so they can have the special education resources that they need and deserve? How can you do one and not the other, in particular when it's special-needs students who are not receiving the funding they deserve?

Hon Mrs Ecker: I agree with the honourable member. That's a very valid question. I would encourage him to direct that question to the people who have made that decision, and that is the Keewatin-Patricia board. The school boards have received additional monies over and above enrolment growth. He talks about being frozen. What we have done is given school boards guarantees that they know at least how much money they have. There's a floor there for declining enrolment boards. Indeed, we have increased special education funding on many, many occasions, a 17% increase.

Many school boards around this province have chosen to allocate even more money for special education, because they see it as being a very important priority. It is their decision to take resources and put them into that pay package as opposed to special education. If that's what the parents and the honourable member are advocating, I would encourage them to ask the school board that question.

LEGISLATIVE USHERS

The Speaker (Hon Gary Carr): Just before we begin petitions, this is the last day for our student ushers, and I'm sure all members would like to join in wishing our student ushers all the best in their endeavours and in thanking them.

PETITIONS

SCHOOL CLOSURES

Mr Gerard Kennedy (Parkdale-High Park): I have a petition to the Legislature of Ontario.

"Whereas the Toronto Catholic District School Board has decided it is forced by Ontario government policy to close several schools that would not otherwise be closed;

"Whereas the schools in question are all providing valuable education services to the children of their immediate communities;

"Whereas the schools in question are not more expensive to run, but rather have been targeted due to a

questionable provincial formula designed to generate surplus real estate;

"Whereas the negative effects of closing upon the students include walking excessively long distances, being unable to obtain Catholic education, the breakup of their learning community and losing essential special programs;

Whereas the negative effects of closing on the local communities include the loss of centres for community activities, lower real estate values, encouraging private schools and the future costs of new school facilities to meet future needs;

Therefore we, the undersigned, petition the Legislative Assembly of Ontario and the Ministry of Education to:

"(1) Immediately acknowledge that the provincial school closing policy is unfair and harmful and not suited to Toronto and many other areas of the province;

"(2) Stop the unnecessary and premature closure of schools by changing the Education Act and regulations to permit school boards to close schools only when it is clearly in the students' best interests."

It's my pleasure to affix my signature to this. I know these sentiments are shared by parents and school boards all around the province.

CHILD CARE

Ms Shelley Martel (Nickel Belt): I have child care petitions from my friends at Caring for Kids in Mississauga; Building Foundations, Beamsville; Sheridan College ECE in Oakville; More Than Child's Play in Toronto; Umbrella Day Care in Pickering; Georgian College ECE, Orillia; and Mohawk College. They read as follows:

"Whereas an internal government document indicates the Conservative government is considering cutting the regulated child care budget by at least 40%;

"Whereas the same internal document indicates the government is also considering completely cutting all funding for regulated child care and family resource programs in Ontario;

"Whereas the Conservative government has already cut funding for regulated child care by 15% between 1995 and 1998 and downloaded 20% of the child care and family resource budget on to municipalities;

"Whereas further cuts would run counter to the support identified for regulated child care and family resource centres by Fraser Mustard and Margaret McCain;

"Whereas the Conservative government received \$114 million this year for early childhood development and will receive \$844 million from the federal government over the next five years for the same;

"Whereas Ontario is the only province which didn't spend a cent of this year's federal money on regulated child care;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly as follows:

"We demand the Conservative government guarantee the current child care and family resource budget is secure and will not be cut under this government's mandate. We demand future federal Early Years funding be invested in an expansion of affordable, regulated child care."

I agree with the petitioners. I affix my signature to this petition.

CRUELTY TO ANIMALS

Mr Carl DeFaria (Mississauga East): I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Criminal Code of Canada considers animal cruelty to be a property offence; and

"Whereas those who commit crimes against animals currently face light sentences upon conviction; and

"Whereas those who operate puppy mills should, upon conviction, face sentences that are appropriate for the torture and inhumane treatment they have inflicted on puppies under their so-called care;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government petition the federal government to move forward with amendments to the cruelty of animal provisions in the Criminal Code as soon as possible."

I affix my signature to this petition.

LONDON HEALTH SCIENCES CENTRE

Mr Steve Peters (Elgin-Middlesex-London): In recognition of the time, I have a petition signed by over 500 people who are extremely opposed to the closing of the 18 services at the London Health Sciences Centre. On their behalf and on behalf of thousands of other people concerned, I submit this petition.

Mr David Caplan (Don Valley East): On a point of order, Mr Speaker: I seek unanimous consent, notwithstanding the standing orders, to extend the time for petitions to the full 15 minutes.

The Deputy Speaker (Mr David Christopherson): Thank you. I'll put that to the House. Do I have unanimous consent to extend the petition period? I heard a no.

ADOPTION DISCLOSURE

Ms Marilyn Churley (Toronto-Danforth): I have petitions related to adoption disclosure reform. They read:

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees, that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the

UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislature of Ontario to enact revision of the Child and Family Services Act and other acts to permit adult adoptees unrestricted access to full personal identifying birth information; permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches age 18; allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party and replace mandatory reunion counselling with optional counselling."

I will affix my signature because I support this petition.

1600

The Deputy Speaker (Mr David Christopherson): Take your seat. I'm sorry, John, but it was your seatmate who denied the extension. It being 4 of the clock, pursuant to standing order 30(b), I am now required to call orders of the day.

ORDERS OF THE DAY

REMEDIES FOR ORGANIZED CRIME AND OTHER UNLAWFUL ACTIVITIES ACT, 2001

LOI DE 2001 SUR LES RECOURS POUR CRIME ORGANISÉ ET AUTRES ACTIVITÉS ILLÉGALES

Resuming the debate adjourned on November 7, 2001, on the motion for third reading of Bill 30, An Act to provide civil remedies for organized crime and other unlawful activities / Projet de loi 30, Loi prévoyant des recours civils pour crime organisé et autres activités illégales.

The Deputy Speaker (Mr David Christopherson): Pursuant to the order of the House of December 11, I am now required to put the question.

Mr Baird has moved third reading of Bill 30. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

Those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1601 to 1606.

The Deputy Speaker: Members take their seats, please.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Gilchrist, Steve	Newman, Dan
Baird, John R.	Gill, Raminder	O'Toole, John
Bartolucci, Rick	Gravelle, Michael	Ouellette, Jerry J.
Beaubien, Marcel	Guzzo, Garry J.	Parsons, Ernie
Bountrogianni, Marie	Hardeman, Ernie	Peters, Steve
Boyer, Claudette	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Hudak, Tim	Pupatello, Sandra
Caplan, David	Jackson, Cameron	Ramsay, David
Chudleigh, Ted	Johns, Helen	Runciman, Robert W.
Clark, Brad	Johnson, Bert	Sampson, Rob
Clement, Tony	Klees, Frank	Sergio, Mario
Coburn, Brian	Lalonde, Jean-Marc	Smitherman, George
Colle, Mike	Levac, David	Spina, Joseph
Cordiano, Joseph	Marland, Margaret	Sterling, Norman W.
Crozier, Bruce	Martiniuk, Gerry	Stewart, R. Gary
Cunningham, Dianne	Maves, Bart	Tascona, Joseph N.
DeFaria, Carl	Mazzilli, Frank	Tilson, David
Di Cocco, Caroline	McGuinty, Dalton	Tsubouchi, David H.
Dombrowsky, Leona	McLeod, Lyn	Turnbull, David
Duncan, Dwight	McMeekin, Ted	Wettlaufer, Wayne
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Ecker, Janet	Molinari, Tina R.	Witmer, Elizabeth
Elliott, Brenda	Munro, Julia	Wood, Bob
Flaherty, Jim	Murdoch, Bill	Young, David
Galt, Doug	Mushinski, Marilyn	

The Deputy Speaker: Those opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Bisson, Gilles	Marchese, Rosario	Martin, Tony
Churley, Marilyn	Martel, Shelley	Prue, Michael
Komos, Peter		

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 74; the nays are 7.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Mr David Ramsay (Timiskaming-Cochrane): On a point of order, Mr Speaker: I seek unanimous consent to call government order G135, to be called for second and third reading without debate or amendments.

The Deputy Speaker: You've heard the request for unanimous consent. It is agreed? I heard noes. The unanimous consent is denied.

1610

COMMUNITY CARE ACCESS CORPORATIONS ACT, 2001

LOI DE 2001 SUR LES SOCIÉTÉS D'ACCÈS AUX SOINS COMMUNAUTAIRES

Resuming the debate adjourned on December 6, 2001, on the motion for second reading of Bill 130, An Act respecting community care access corporations / Projet

de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

The Deputy Speaker (Mr David Christopherson): Pursuant to the order of the House of December 10, I am now required to put the question. On November 28, Mrs Johns moved second reading of Bill 130. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate by saying "aye."

Those opposed please indicate by saying "nay."

In my opinion, the ayes have it.

Call in the members. It will be a five-minute bell.

The division bells rang from 1611 to 1616.

The Deputy Speaker: Those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Guzzo, Garry J.	O'Toole, John
Baird, John R.	Hardeman, Ernie	Ouellette, Jerry J.
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Spina, Joseph
Clark, Brad	Johnson, Bert	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stewart, R. Gary
Coburn, Brian	Marland, Margaret	Tascona, Joseph N.
Cunningham, Dianne	Martiniuk, Gerry	Tilson, David
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	Miller, Norm	Wettlaufer, Wayne
Elliott, Brenda	Molinari, Tina R.	Wilson, Jim
Flaherty, Jim	Munro, Julia	Witmer, Elizabeth
Galt, Doug	Murdoch, Bill	Wood, Bob
Gilchrist, Steve	Mushinski, Marilyn	
Gill, Raminder	Newman, Dan	

The Deputy Speaker: Those opposed to the motion will please indicate by rising and being recognized by the Clerk.

Nays

Agostino, Dominic	Di Cocco, Caroline	McGuinty, Dalton
Bartolucci, Rick	Dombrowsky, Leona	McLeod, Lyn
Bisson, Gilles	Duncan, Dwight	McMeekin, Ted
Bountrogianni, Marie	Gravelle, Michael	Parsons, Ernie
Boyer, Claudette	Hampton, Howard	Peters, Steve
Bradley, James J.	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Komos, Peter	Prue, Michael
Caplan, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Colle, Mike	Levac, David	Sergio, Mario
Cordiano, Joseph	Marchese, Rosario	Smitherman, George
Crozier, Bruce	Martel, Shelley	
Curling, Alvin	Martin, Tony	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 49; the nays are 37.

The Deputy Speaker: I declare the motion carried.

Pursuant to the same order of the House, this bill is ordered referred for third reading.

HEALTH PROTECTION AND
PROMOTION
AMENDMENT ACT, 2001

LOI DE 2001 MODIFIANT LA LOI
SUR LA PROTECTION ET LA PROMOTION
DE LA SANTÉ

Mr Levac, on behalf of Mr Dunlop, moved third reading of the following bill:

Bill 105, An Act to amend the Health Protection and Promotion Act to require the taking of blood samples to protect victims of crime, emergency service workers, good Samaritans and other persons / Projet de loi 105, Loi modifiant la Loi sur la protection et la promotion de la santé pour exiger le prélèvement d'échantillons de sang afin de protéger les victimes d'actes criminels, les travailleurs des services d'urgence, les bons samaritains et d'autres personnes.

Mr Dave Levac (Brant): On a point of order, Mr Speaker: I seek unanimous consent to call Bill 105 for third reading without further debate.

The Deputy Speaker (Mr David Christopherson): Is there unanimous consent? I hear agreement.

Pursuant to the order of the House of December 12, I am now required to put the question.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please indicate.

All those opposed, please say "nay."

The motion is carried.

Ms Marilyn Churley (Toronto-Danforth): No.

The Deputy Speaker: Oh, yes.

In my opinion, the ayes have it.

I thought for a minute you didn't have enough support there.

Call in the members. This will be a five-minute bell.

The division bells rang from 1620 to 1650.

The Deputy Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic
Amott, Ted
Baird, John R.
Barrett, Toby
Bartolucci, Rick
Beaubien, Marcel
Bountrogianni, Marie
Boyer, Claudette
Bradley, James J.
Bryant, Michael
Caplan, David
Chudleigh, Ted
Clark, Brad
Coburn, Brian
Colle, Mike
Crozier, Bruce
Cunningham, Dianne
Curling, Alvin
DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Gilchrist, Steve
Gill, Raminder
Gravelle, Michael
Guzzo, Gary J.
Hardeman, Ernie
Hodgson, Chris
Hoy, Pat
Hudak, Tim
Levac, David
Jackson, Cameron
Johns, Helen
Johnson, Bert
Kennedy, Gerard
Klees, Frank
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Levac, David
Marland, Margaret
Martin, Tony
Martiniuk, Gerry
Maves, Bart
Mazzilli, Frank

Murdoch, Bill
Mushinski, Marilyn
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Parsons, Ernie
Peters, Steve
Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Ramsay, David
Runciman, Robert W.
Sampson, Rob
Sergio, Mario
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne

Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Flaherty, Jim
Galt, Doug

McLeod, Lyn
McMeekin, Ted
Miller, Norm
Molinari, Tina R.
Murro, Julia

Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

The Deputy Speaker: Now those opposed to the motion will please rise and be recognized by the Clerk.

Nays

Churley, Marilyn

Marchese, Rosario

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 80. The nays are 2.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

VISITORS

Mrs Sandra Pupatello (Windsor West): On a point of order, Mr Speaker: I'd like to take a moment to introduce to the House Andy and Pat Brown, who are the grandparents of the page from Windsor West, Eric Brown.

COMMUNITY CARE ACCESS
CORPORATIONS ACT, 2001

LOI DE 2001 SUR LES SOCIÉTÉS
D'ACCÈS AUX SOINS COMMUNAUTAIRES

Mrs Johns moved third reading of the following bill:

Bill 130, An Act respecting community care access corporations / Projet de loi 130, Loi concernant les sociétés d'accès aux soins communautaires.

The Deputy Speaker (Mr David Christopherson): We now have a 60-minute debate on third reading of Bill 130, with the time being split equally among the parties. Does the minister wish to lead off?

Hon Helen Johns (Minister without Portfolio [Health and Long-Term Care]): Thank you very much, Mr Speaker.

The Deputy Speaker: Just a moment while everyone clears out. Stop the clock, please.

Members, please, either out of the chamber or take your seats. There are too many members standing. Thank you, Minister?

Hon Mrs Johns: Change is never easy. Passage of the Community Care Access Corporations Act, 2001, would bring change to the governance of CCACs. Because it directly affects only boards of directors of CCACs and the chief executive officers, Ontario's families would initially notice little difference. People would receive the same level of service they currently do.

In the long run, however, we are confident that these governance changes, if passed, will lead to an improvement in services. Inequities and inconsistencies in the existing system would be smoothed out and eventually eliminated in our pursuit of our long-term goal of

ensuring that the right people receive the right services at the right time.

Understandably, there has been some concern among current board members and CEOs about the governance changes. I hope I have been able to alleviate some of that concern during the discussions and debate we've had over the past few weeks. I think we are all aware that we are partners in the enterprise of providing better home care for the people of Ontario.

Many current board members have already demonstrated their commitment to the community care access centre process. I understand, for example, that some board members took leaves of absence or vacation time from work when the CCACs were first established back in 1997 in order to get them up and running. Their contributions proved invaluable; their devotion, commendable. We would welcome their applications to bring their enthusiasm and effort to the new boards through OIC appointments. Continuity in the system would only enhance the CCACs, should they decide to continue their commitment to the system they helped to create and that we now are refining.

The other governance changes affect the CEOs of the community care access centres. They also will become order-in-council appointments, and they will now be known as executive directors. Their role, while different from that of board members, will be equally challenging and demanding. The management and administration of a multi-million dollar enterprise demands skills in diverse management fields such as finance, contracts, human resources, policy and operations, and of course community relations.

As most in this chamber are aware, the merger and restructuring of home care programs and placement coordination services in the mid-1990s was the first step toward creating one-stop shopping for community care.

Many CEOs performed superbly in the role of getting their CCACs integrated and motivated as single entities tasked with the successful development and delivery of home care to more than 400,000 people. Now it is time, with this bill, to enter a new phase in the life of their entity, so important to the provision of home care to the people of Ontario. Home care's role is a vital link in our long-term goal of creating a seamless health care system, so that no one falls between the cracks and it in effect becomes impossible as you move through the integrated system.

To ensure that this happens, in the legislation we have also asked to create a mandatory community advisory council, which will be chaired by the community care access members and will contain representatives from the hospitals, the long-term-care facilities, the community support services in the community, plus the community care access centres. This will help to ensure coordination and co-operation among health care providers in the province and in community care especially.

Although we seek a number of changes, such as placement coordination regulations and common assessment tools for case managers, they are not part of this bill

per se. Still, the governance changes that we're asking to make today, that we're proposing today, should make the implementation smoother and make the system more coordinated.

Let me dwell for just a minute on case managers.

Interjections.

1700

The Deputy Speaker: I'm sorry, Minister, I going to have to interrupt you there. Could you take a seat for a moment. There are really too many conversations going on here. It's not way out of line, but we're heading that way. So if we could take our seats, and if any loud conversations could be taken outside the chamber, it would be much appreciated.

Hon Mrs Johns: I was just starting to talk about case managers. Not everyone is aware that case managers are either nurses or therapists who often bring many years of clinical expertise to their task. Their role has been and will continue to be a challenging role. We have every confidence that the governance changes outlined in Bill 130 will help them better fulfill it and they will be very successful at it. We all know that when everything is done well, the case manager's function at the community care access centre is all but invisible to the public. But those who provide the care know well that coordination and communication among team members in the delivery of care could not be done without the hard work and dedication of those who fulfill the case manager's role.

Compared to hospitals and some other aspects of the health care system, community care access centres are basically a new institution. While home care goes back to the prior century as a service, particularly as it was delivered at that time with community nursing, the role has expanded and broadened into a much more complex and cost-effective approach in meeting people's needs as close to home as possible. None of us will be able to meet those needs alone. Together we have accomplished much in the past. Together we can accomplish much more. Our combined ultimate goal is better service for community care access centre clients, the people of Ontario who require home care. The passage of Bill 130 today would help us along the road to attain this goal.

The Deputy Speaker: Further debate.

Ms Caroline Di Cocco (Sarnia-Lambton): I will be sharing my time with the member for Ancaster-Dundas-Flamborough-Aldershot and also the member for Windsor West.

In regard to Bill 130, I'd like to state for the record, in the few minutes that I have, what this bill actually does. It basically renames community care access centres to community care access corporations. In my view, it's a way of taking ownership. The government is going to appoint executive directors, just like they're doing to school boards. They want control from Queen's Park.

Another issue is that all directions for care are going to be directed by the government. Unfortunately, there's going to be no local input. Because the members and some of the directors of CCACs have been very out-

spoken, basically they're going to end up being fired because they have been outspoken.

One of the issues that really is concerning to me is the fact that community care is now provided to many people across this province and, yes, it is the Conservative government which put community care into place in this fashion. Unfortunately, they didn't manage it very well, and they're still not managing it well, but they do want control and they want to gag the people who are providing that service in our communities.

We still have a lack of nurses who are willing to work in home care, and we understand that there still are no standards being set by the government as to what services should be delivered.

Let's remember as well that community care was put into place because it was supposed to be a per patient delivery or per patient cost that was going to be dealt with. In actual fact, because they're letting people out of hospital so quickly, there is more of a need for home care; people are quite ill when they get home from the hospital because they're discharged so quickly. As a matter of fact, it's the hospital discharges now that account for 70% of all cases. This means that we've got more acute patients requiring intensive care.

So what does this government do? Instead of dealing with the management—in other words, being able to address some of the issues about the competition at local levels, or being able to manage it so that we've got standards across the province when it comes to home care—instead of dealing with the equity issues when it comes with the nursing care that is being provided by community care, they decide, “You know, it's costing us more money than we thought, so we have to somehow take a look at the bottom line.” They don't look at the per patient service that they had committed to initially when they founded community care access centres.

What they've done now is said, “We are working harder because we've got more patients to deal with”—or lack of funds, so they're going to have to cut that service.” Then, when they complained that they had to cut the services because the resources weren't there, they decided, “Now we're going to have to control. We're going to appoint who we want on those boards to ensure that there are going to be no negative comments coming out of the boards with regard to the accounting from the government.”

I have to say it's really unfortunate, in a time when we need community care so badly and where it's really saving a lot of dollars, that this government doesn't seem to understand that you have to work with the sector instead of against it.

The Deputy Speaker: I need some guidance here. I got the impression from the official opposition House leader that he preferred that all his speakers were en bloc, but I see you deferring to the third party. I am easy; either way is fine with me. Do you want to go in rotation? With that in mind, the member for Timmins-James Bay now has the floor.

Mr Gilles Bisson (Timmins-James Bay): First of all, I apologize to those who are watching. I don't have a tie on. I've got a cold and I'm not feeling too well, so I'm going to keep the tie off today. I know when you are speaking in the House you should wear a tie, and I just wanted to explain why not.

Mr Rosario Marchese (Trinity-Spadina): Are you attacking the—

Mr Bisson: I am attacking our House leader on this one. No, no, just teasing.

There are a couple of things that I want to put on the record, and it's unfortunate that this bill is time-allocated, because I know that all of our caucus—Mr Marchese, Mr Prue, Mr Martin and all others—want to be able to speak on this bill because you, Mr Speaker, and all members in this House are affected by what the government is doing here.

Simply put, the government is introducing this bill for one simple reason: that is, to fire the existing boards that are now serving as boards for community care access centres across the province and also to have the ability to fire the executive director where the cabinet so chooses. I think that is one of the most despicable things this government has done, because what they are doing is exactly the point that Mr Marchese makes: they are politicizing the process at the community care access centres.

What has happened is simply this: the government created the community care access centres back in 1995-96. The community care access centres have been charged with coordinating long-term-care services in our community, something that is commendable, something that all parties can agree on. When we were government we had started this whole process under Bob Rae, where we did the redirection of long-term care and we were going to create what were called MSAs. The government didn't like that model because the NDP would have put it all in the public sector.

The government said, “No, we're going to scrap the MSA model and we're going to move over to the private sector model of community care access centres where there is a public board,” but they basically go out and give contracts, by and large, to either public or not-for-profit or private sector bidders on services that are given out.

1710

What has happened is that these boards have gone out and pulled all the services under the umbrella of the CCACs, which is a good thing. So when seniors or other people need services at home, rather than running to the various agencies out in the community, trying to figure out, “How do I get a nurse to come and take care of my sick family member or myself? How do I get home care? How do I get Meals on Wheels? How do I provide the specialized care a person needs to be able to live at home independently?” the CCAC takes care of all that. That's commendable. I think we all agree on the role of CCACs.

But what has happened since the government created CCACs is that they have not kept the budgets flush enough with money to meet the needs of the commun-

ities. For example, the Cochrane District CCAC, which is in the riding I represent, has had their budget flatlined, except for a few increases for pay equity and other issues they had to deal with by way of legislation. As a result, the CCAC, because they have the same amount of money now as they did some years ago, is having to provide services in the community without adequate funds to meet that need.

Simply put, what we have now is that people are living longer, they're needing more care at home, hospitals are discharging people quicker and are putting a strain on long-term-care services in the community, and the CCACs have been struggling to meet the needs of the community.

I want to bring to the attention of the House a couple of issues, a couple of cases I have in my own community. Mr and Mrs Lyrette live on Commercial Avenue. I've known this family for a long time. Mrs Lyrette unfortunately suffered a stroke about a year and a half ago. She is now living at home. She's living independently with her husband, and the daughter, Rosalynne, is taking care of her mother as best she can, along with Philippe and Denise, her son and daughter-in-law, who live next door. They're doing the best they can, as a family, trying to meet the needs of Mrs Lyrette.

Originally when the mother was discharged, home care was supposed to be given for four hours a week, to provide nursing care and a bit of respite care for Mr Lyrette, because Mr Lyrette is, I believe, about 80 years old and is ill equipped to take care of his wife all the time. He's in pretty good shape, but it's a heck of a strain to put on an 80-year-old man to take care of this woman all the time. So the family has been doing what they can to pitch in and serve.

Unfortunately, because of the lack of funding at the CCAC, they are now only able to provide one hour of care to Mrs Lyrette and are talking about dropping her down to a half-hour of care, which is barely enough to make ends meet. The problem with that is, you've got an 80-year-old man, Mr Lyrette, who, if he is charged with having to do everything, is quite frankly going to get sick himself.

I say to this government, you're the ones who created the problem. Here are Mr and Mrs Lyrette, who are not able to properly get the amount of care they need because of the government's refusal to fund CCACs to the level they need.

I have another case, Mrs Plouffe, a long-serving member in our community who has volunteered for everything. Mrs Plouffe built almost every organization in our community over the years. She has been a volunteer extraordinaire. She has given to her community all of her life, and all she wants is one of the services, because she can't get around. She lives independently at Le Mirage, at 44 Borden in Timmins. She wants to have somebody go out and do her shopping, because she can't get to the grocery store every week to get her food. Again, the CCAC, because they don't have enough money to provide for the need, have said, "We're taking that service

away from you, and we're also reducing the home care you get." So now Mrs Plouffe, who for years gave to her community and would like to get something back, is being told by this government, "No, you can't have it, and if you don't like it, go live in a long-term-care facility." For Mrs Plouffe, I think that is a terrible option. She is still able to live independently at home and will do so for many years if we provide her with the services she should be getting from the CCAC.

This government's response is what? Myself and other members of our caucus have gone to the minister—I know Mr Prue has brought this to the minister—and said, "We need more money to be able to provide the dollars in our communities to CCACs so people like Mrs Plouffe and Mr and Mrs Lyrette are able to get the kind of services they need." The government's response is, "Ah." You know what? The CCAC boards themselves are starting to make some noise that the government should give them more funding. So the government says, "Let's fire the boards." They don't want to get criticism from the volunteer boards that are there now, serving on behalf of the their communities. So the government's response is not to give money but to fire the boards. I say to this government, shame on you. It is the wrong thing to do. Those people are volunteers. That's like a hospital board. These things are like a hospital foundation. They sell memberships. We elect people from our communities and those volunteers go and serve on behalf of the community for various aspects. Community people, business people, people who are consumers, come on to the board as volunteers.

Mr Steve Gilchrist (Scarborough East): But we're not making any changes.

Mr Bisson: I know Steve Gilchrist doesn't care because he's a right-wing neo-con who thinks the government should do this. I don't have a problem; I understand where you're coming from, Mr Gilchrist.

I am saying this government is basically firing those hardworking volunteers who have served our CCACs well in order to provide services to the community; people like Jacques Côté, who is the head of that board of the CCAC, who lives in Hearst and is a long-standing member of the community.

Interjection.

Mr Bisson: Yes, I've still got two minutes. I've watched the time.

Mr Gilchrist: Send the resumé in.

Mr Bisson: Mr Gilchrist says, "Send the resumé in." This is the contempt that the government has for volunteers in the community who are working on behalf of CCACs. Jacques Côté, years of service to the community, has volunteered his services since the CCAC has been there, has worked hard to provide services to the Cochrane district as a board member and as the head of that board. He is now being told, at the end of all of this, "You have to try to reapply for your job. Only if the government approves will you then be reappointed back to that board again." Mr Côté's answer is, "The heck with you. I want nothing else to do with this. I find this a

slap in the face," he says to me, "and I want nothing to do with it."

So you're killing volunteerism in our community, people like Jackie DeLuca. Jackie DeLuca, who serves on this board, has been doing so since the board has been there, works hard on behalf of the community, has volunteered for years on all kinds of organizations across our community in the city of Timmins, has served on the council of the city of Timmins, has done all kinds of work as a volunteer, is saying, "Gilles, all I want to do is serve my community. I believe in the services of the CCAC and I want to be able to volunteer and give of my time to those people in our community who need my services as one of the board members on the issues of CCACs." This government is saying, "No, if you want to serve, you have to come and reapply, because only if the minister thinks you're going to be a good board member who will not speak out to the government," and I would say a Tory member, "are you then going to get back on to the board."

So I say to the minister, you're wrong. That is not the way to run CCACs. Appointing CCAC members should have nothing to do with political affiliation. You shouldn't have to be a Tory bagman to get on to the particular board. It should be about volunteerism and a willingness to be able to serve your community. I say to this government, shame. This is wrong. I will vote against it and I will do all that I can to stop it.

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I want to begin on a different tone. When my dad was very, very sick a year ago, in fact was in need of palliative care and lived in the Hamilton area, the area served by our CCAC, he received, in spite of the strike there, from some very caring people a lot of the help that he needed to get through his final days. I'm forever personally indebted to those wonderful, underpaid, overworked people who went the second mile, even though they had every reason perhaps not to, given the labour disruption there brought on by the managed competition of this government, which by the way went an incredible way to destroying a historic, helping outreach network that has yet to recover: the VON, with its 85-year history in our area, now having to work down in Niagara Falls.

The CCAC concept of using the giftedness of community and dedicated volunteers could have worked, had it received the kind of direction and guidance and support they needed, if the government had had the right look in their eyes. Instead, when they looked for direction, they were ignored. When they looked for guidance, they were denigrated. When they wanted to work in partnership, they were sniped at. And when they said, "The need is growing far faster than we can respond," their funds were frozen. That's the simple truth of it, the black and white of it.

1720

We had a lot of meetings with CCA folk in Halton and in the Hamilton area, countless meetings where we heard the heart-wrenching stories, as things have got even tougher in the last year, of the kinds of services they are no longer able to provide.

I got a letter just the other day from the associate minister of health about the SAM program in Ancaster. There are some 85 seniors there. After telling me all the reasons why you couldn't help, you said in your letter that you hoped we found your letter helpful. Madam Minister, it wasn't helpful; frankly, it was a disgrace. We've got seniors in Ancaster in desperate need. Seniors who ought not to be institutionalized are going to be institutionalized shortly if we don't find a way to rescue the program. We'll do what we do well in Hamilton and we'll have our Friday morning meeting with the mayor and some others and see if we can rescue this thing, but no thanks to this government.

I can't help but feel that this bill is another step to abandoning the frail and the elderly in my riding. Instead of helping the most vulnerable people, we see a government dedicated to moving from non-involvement to centralized micromanagement of this service. I think in the long run that's going to really hurt the delivery of service here.

It's not much different than what this government has done to special-needs students, who used to find in their schools the supports they needed to learn and enjoy school, to be equipped with the skills they needed to survive and thrive in society. But they began to fall through the cracks, and this government has done its twofold approach: first, it denies responsibility, and then when everybody starts falling through the cracks, they start pointing fingers again.

It's part of this no-fault insurance they have. Whenever anything goes wrong, the only person not at fault is the government over there. If you can, you blame the feds. The feds have said over and over again, "Let's get to the table and talk about home care standards so we can add that to the national health care basket." The feds can work with people like Ralph Klein and even the separatists in Quebec to do that, but not with this government, I'm sad to say.

Real people are going to be hurt by this legislation: our mothers, fathers, grandparents and innocent children who require the specialized services they need to develop their potential. We're hearing from all kinds of people in my constituency about their opposition to Bill 130, particularly members of the CCAC who often, out of fear, are afraid to speak out to this government. I think the government has found a way of dealing with that. I think fundamentally what this bill acknowledges is that this government has failed. Their policy has been a failure and they are going to cover up now by removing those people who are prepared to talk about that failure and replace them with people who either won't speak out or are so committed to toeing the party line over there that we just won't see things happen.

In conclusion, the people of Ontario should be afraid of this legislation. It's going to take Ontario home care in a direction that's purely dollar-based and not patient-focused. But what can we expect from a government that understands the cost of everything but the value of nothing?

Ms Marilyn Churley (Toronto-Danforth): I think I can say for all of my caucus who are here today, as our member from Sudbury, Shelley Martel, our critic for health, has said many times in this House—

Mr Rick Bartolucci (Sudbury): Nice try. Her riding is Nickel Belt.

Ms Churley: Nickel Belt; thank you. Shelley Martel has said that this is a hostile takeover, and that's exactly what it is. The members know exactly what is going on here. I have met with community care access from East York and people from community care of Toronto, and they are saying the same thing to me. They are appalled and very upset by this, because it happened out of the blue. There were meetings taking place with the minister in good faith to talk about some of the changes they were working on, and they were pleased to see the government was recognizing some of their issues and working with them to resolve them. Then, out of the blue, this piece of legislation came forward. What is does is take away community control from the boards in their very diverse communities. They're the ones who know what's going on in the communities. They're the one's who are in touch with the needs of the people.

We know what's been happening. The New Democratic Party has been calling on the government over the past few years to give more funding to the CCACs. For instance—

Mr Gilchrist: We have.

Ms Churley: No, you haven't. What you used to do over the years, because you were not giving them enough money, was fund their deficit. What you actually did recently was just stop funding that deficit. So, for instance, East York, where there's a very high population of seniors and therefore a very high need, a very big demand, for those services, is already under tremendous stress and people who need the care are not getting it. Those hard-working women, mostly, are doing their best. Lots of them by now are working overtime, because of their compassion for their clients, and not getting paid for it. They're low-paid workers doing the most important work in our society and they're actually working overtime for free right now because they are caring. We have called on the government repeatedly to sit down and look at the difficulties in funding, particularly in the East York Community Care Access Centre.

The Toronto Community Care Access Centre, if you will look at their records, has been doing a very good job and coming in on budget. They are absolutely appalled and very, very angry about this hostile takeover.

I say to the government that what you're doing is wrong. We know why you're doing it. There's no secret; you can't make any excuses. What you try to say is that this is good for the CCACs and good for their clients. The reality is, you got tired of hearing the people on the community boards complaining over and over again about the fact that there wasn't enough funding to take care of these very vulnerable people. You got tired of hearing it, and what do you do to stop hearing these complaints? Those complaints were legitimate. These are the people who are in their communities and see that the

needs aren't being met. Elderly people, who in some cases are bed-ridden, are not getting the baths they used to get, aren't getting their houses cleaned. They're slipping on stairs, on floors, because their houses aren't being cleaned and the floor gets slippery. They're falling down and injuring themselves and ending up in hospital. All kinds of horrible things are happening to people because the funding isn't there.

What I find completely appalling about this is that the government just brought in a new tax cut for big corporations in this province and here we have our most vulnerable citizens—the disabled and the frail, elderly seniors—being left to their own devices and not getting the care they need. It's absolutely disgraceful and the government is going to hear more about this. It isn't going to work. You're going to be hearing more and more in your own ridings from people. Ministers, it's going to happen in your ridings too. It's not just happening in opposition ridings. It is happening all over the province. Ultimately, you're going to have to deal with the funding crises in these community care access centres.

But, in the meantime, to be taking over those boards and to be removing the community-based people—who have the expertise, who know what their communities need—is absolutely outrageous. The minister should be ashamed of herself—the entire government should—for taking over community-based boards that are working for the people, that are willing to work with the government—in fact have been in the process of working with the government—to tighten things up, to deal with some accountability issues. They were working in good faith and then this bill came out of the blue, to everybody's shock.

I'm going to leave the last few minutes for my colleague from East York.

1730

Mr Gilchrist: I just want to make a few comments, to put them on the record. We're hearing an awful lot of rhetoric, as usual, from the other side and very little of substance about the bill itself and about how the funding has really changed for home care services since 1995. In 1995, when we were first elected, the budget was \$600 million in this province. This past year it is \$1.17 billion. For the mathematically challenged, that is a doubling of the budget for home care services.

When the members opposite wail and moan, as they so often do, they always leave aside the fact that we have outstripped the increase in population and outstripped inflation. We have dramatically increased access to home care services all across this province. What they also don't mention, though, as they suggest that somehow this is trammelling local communities, trammelling the volunteer spirit, is that there isn't one CCAC in Ontario that has a membership of more than 200 people. When I look at Scarborough, with a population of 600,000, if you're suggesting that somehow those 200 people represent an appropriate cross-section of all the people who care about this important service, that is a fraud.

Let's talk about the CCAC that has actually fixed its membership at—

The Deputy Speaker: Order. I'm going to have to ask the member to withdraw the use of that word.

Mr Gilchrist: It was not in direct reference to any member, but I certainly withdraw it.

Anyone who would make that assertion is clearly not in sync with the facts. The reality is there is even one CCAC in the province that has fixed its membership at 25 people. You want to talk about closed doors, you want to talk about denying democracy, they've done it in spades.

Let's not lose sight of the fact that we're the government that established the CCACs in the first place, just four years ago. So it is totally appropriate, having seen what has happened in Hamilton—maybe that's the worst-case scenario, where third parties have now come in. I suggest to anyone who wants to deal honestly with the issues that were presented in the auditor's report, with the huge problems of mismanagement and misallocation of funds, whether or not it is the only one that has so grossly mismanaged or is just the worst of many, I don't think should give us much reason to pause.

The fact of the matter is it is totally appropriate for a government to continue to fine-tune initiatives, as we are doing with the composition of the CCACs.

The fact of the matter is there will continue to be the appropriate representation from the community. I am very saddened that, up in Timmins, the member seems to think there will be no other people who have any interest in serving on the CCAC board. I submit to you, without suggesting I have a crystal ball, that there will be any number of people more than interested in participating in a process that guarantees that money starts going to the clients, not to the administration.

In my riding, I have had individual clients come in, and yes, indicate they've had a reduction in service these last few months. I remember the very first gentleman who came in. The member opposite was happy to name names, so I'll name this gentleman. Mr White, who lives in my riding just a couple of blocks away from where I live, was cut back from three baths a week to two. When he called the CCAC headquarters, he went up the totem pole: five different people, five managers overseeing his specific caseworker.

So the members opposite are comfortable with a system that would put that many bodies back at head office, dealing with paperwork and dealing with who knows what issues back there, when there's only one person out in the field delivering the actual service. I think that's wrong and I am going to support this bill.

Mr Bisson: On a point of order, Mr Speaker: I would ask for unanimous consent that we take that Hansard and send it to every CCAC board member and executive director across the province.

The Deputy Speaker: I heard a no. Has the member finished his remarks or does he wish the floor back?

Mr Gilchrist: I've finished my remarks, thank you, Mr Speaker.

Mr Michael Prue (Beaches-East York): I would like to say that it was a pleasure to have heard the previous member, but I cannot say that. Really, I cannot. The CCACs are boards of economic management in part. They have a responsibility to take the budgets they are given and to spend the money wisely. I would think that all members of the House would agree that the overwhelming majority of CCACs do exactly that. They try to live within the budget and they try to do the best job they can. The members who are on the board attempt to do the best job that is humanly possible, given the magnitude of the job that must be done and the limitations on the money that is available to do it. They try to make ends meet. They try their very best as a board to cooperate. However, they have been chronically underfunded.

Yes, they were created by the Conservative government, after much prodding from the previous government. Yes, they were created in an attempt to try to manage the very many services that many community groups were providing, but they were never really given the assets to do the job. They were underfunded from the first day. They had to be bailed out by the government, who did not give them sufficient funds. They had to pay them the money, and this year, when they stopped paying the money, the problems started to arise. That is the nub of the whole problem here.

I know that this bill does not deal just with the money for the CCACs. This bill primarily deals with who is going to sit on the board of directors. I would acknowledge that people need to be on the board of directors; we would all acknowledge people who have financial experience need to be on board of directors. But what the government is forgetting is that this limiting of the number of people and the way they're going to be chosen is going to cut right into the heart of the community and right into the heart of the user groups. That is what the problem is. You are going to cut into people who rely on the service. You are going to cut into families who understand the necessity of that service and what the difference is between having three or four hours a week and having one or no hours a week. They understand, as people in this room will never understand. They understand what it means not to have a bath, they understand what it means not to go out and get their groceries, they understand what it is not to get the laundry done or the sheets changed. They understand all of that and they will not be there because all of this is being wiped out in order to talk about the economies.

I listened to the speech of the member opposite and a case comes back to me. He doesn't want his last name used, but he's a war veteran. His name is Andrew. He has Alzheimer's. His wife looks after him. She looks after him to the best of her ability. She has had to stop working. She has taken an early retirement to look after her husband, a man who served this country in times of war and to whom we have a huge debt as a society. She had eight hours of service not a year ago. They came in and helped her four days a week, two hours a day, which

allowed her to look after her husband, to do the grocery shopping, to clean the house and to do other things that were necessary. She has been cut back to one hour a week. She can't even go out to do the groceries because she can't leave him alone for more than one hour. She can't even get there. That is the human cost of this and that's what the boards need to be talking about and that's why community groups need to be there.

We have other problems. I've run out of time, but we have other problems that we're going to continue talking about, if not in this Legislature, then out there in the streets.

Mrs Sandra Pupatello (Windsor West): This has been a very long and difficult bill to deal with in this House and out in the community. I want to speak tonight on behalf of the people from Windsor West and the people from across Ontario who have called us and asked us mightily to fight this bill. They have told us that the way services are delivered in the home today is not adequate. They have said, whether it be the CCAC board chairs, those who didn't want to speak publicly because of fear of retribution—and that's a small point not to be lost on the government or on members of the public. Never before have we found individuals in volunteer positions doing yeoman's service in delivering a massive program that is essentially a virtual hospital. It used to be that these attendant home programs really weren't life and death. Since the early 1980s, or even before, they have turned into the extension of hospital care in the home.

Let me just say that in my hometown, just like across Ontario, what used to be 30% of the caseload that would deal with hospital discharges that percentage has now flipped completely, so that 70% of the caseload is now hospital discharges. So this government policy, which slashed beds, slashed staff, fired nurses and cut budgets of hospitals since they became the government, forced people out of hospital sooner. Those people had to go somewhere, and where they went was into the home care system.

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At this same time in 1997 this government created CCACs, yanked all those services as that used to be delivered across the province and turned them into this organization with a competitive bidding process, which frankly caused many of the problems, because in introducing this we got rid of many organizations that had been in the business of home care service delivery for decades, for generations. So in Windsor West and in many places, our own VON nurses, who were very well respected, our specialty nurses from VON, lost to the system because the VON did not win in that competitive bidding process.

Let's not forget, out of respect to these organizations, that competitive process that lost to Ontario years of service and years of experience in the nursing field. We saw the Red Cross across the province in many instances lose in the competitive process when it was put up against a private company that drove for a lower cost.

Here we are today, where in some communities from the very get-go those community boards came together to act as patient advocates as their caseload was rising and as the acuteness of those patients was rising. No longer were they just Mrs Smith, who needed a little bit of housekeeping to help her stay in her home, or Mrs Jones, who needed just a little bit of help to take a bath a couple of times a week. These cases were much more urgent now. They were people sent home from the hospital with a double mastectomy, sent home with tubes and pads. They ought never to have been sent home that soon, and in the past they weren't. But in this day and age of getting them out as quick and as sick as possible so they wouldn't be on the hospital budget any more, because the hospital didn't have the funds to care for them, this was the acuteness level that had risen in home care.

We were concerned at the time, and we brought this forward: did those home care nurses have the training to care for this new higher level of acuteness? The nurses would call us and say, "You can't believe what we're dealing with in the home. These patients should never have come home." In the long run it cost the system more, because often these people would be sent back through the emergency room, which by this time didn't have the room to take care of these people any more.

These community boards began to lobby and began to advocate, first behind the scenes. But that wasn't going anywhere, because the government refused to listen. And while this government talks about what funding increases there were, it refuses to acknowledge how massively the exponential rise in the caseload was, and the acuteness, and therefore more expensive care that was required—more money than this government was prepared to give. Bob Fera from Sudbury, with our own MPP Rick Bartolucci, led the charge in Sudbury to say, "What about Sudbury? What about our advocates here? We're telling you what our communities need." This government refused to listen.

We're back here today, and this government's answer, after six different ministers having the file on home care—year after year a minister change; year after year not having the vision to see where they wanted to be in home care—we get dropped a bill like Bill 130, which is a hostile takeover, a gag order on all those community representatives who acted as patient advocates. Gone is the opportunity for me and my colleagues and our community leaders to show up at an annual general meeting and see an audited statement as to where those funds were being expended. We were able to do that in Windsor West. That's why in Windsor we called for a management audit of our own initially, because they weren't acting as advocates. And they changed. Why did they change? Because we could go back to the law as it was in the creation of CCACs.

This government had the power in the law that it created to take care of every problem of CCAC management across the province. For every example of mismanagement this government chooses to discuss, it was always within their rights to go in there and say, "Abide

by the law." Instead they drop this bill in this House, because they were not prepared to deal with board members who became quite sophisticated and quite experienced to say, "This isn't about us; this is about your funding levels."

To make matters worse, this government brought in its own review, the PricewaterhouseCoopers review, and claims that this review became the basis for the gag order bill that they dropped. Let's see what this big review requested and recommended at the end.

Number one in areas for improvement: "need for more resources." Number two was inconsistencies in the policies and practices. That's the standards in home care which our party called on from the beginning. We said that you needed benchmarks in service. Did this government give them to us? No. We said that we needed to address funding levels. Did this government give this to us? No. And we called on this government to take care of our frail and elderly people. Did this government answer that call? No, they did not. Instead we are left, near the Christmas season with days to go before we have left Queen's Park, not knowing how this government is going to come forward to take care of our seniors.

We have been here, some of us, seven years; some of us longer. We have not seen such an example of a dictatorial government prepared to institute a gag order on the very people who are meant to take care of our seniors, I say to Mrs Tice, who took the time to write to me from Toronto. It's not just about Windsor West or just about Sudbury; this is across the board.

She said: "As a senior of our community, I declare to you that this bill should be withdrawn." Hear, hear, Mrs Tice. We agree with you.

I say to Mindy Gorman from London, who wrote not just to me but to the minister from that riding, and she told her plainly, "You cannot do this to our home care system."

We heard from people across Ontario, and I declare today that this bill shall not go forward. On this basis, I call for an adjournment of the House. I move adjournment of the House.

The Deputy Speaker: There is a motion before this House to adjourn the House.

Is it the pleasure of the House that the motion carry?

All those in favour, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1748 to 1818.

The Deputy Speaker: All those in favour of the motion will please stand until counted by the Clerk.

Pray be seated.

All those opposed to the motion will please stand and remain standing until counted by the Clerk.

Please be seated.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 37; the nays are 47.

The Deputy Speaker: I declare the motion lost.

Pursuant to the order of the House dated December 10, 2001, I am now required to put the question.

Mrs Johns has moved third reading of Bill 130, An Act respecting community care access corporations.

Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1820 to 1825.

The Deputy Speaker: All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hardeman, Ernie	Mushinski, Marilyn
Baird, John R.	Hodgson, Chris	Newman, Dan
Barrett, Toby	Hudak, Tim	O'Toole, John
Beaubien, Marcel	Jackson, Cameron	Runciman, Robert W.
Chudleigh, Ted	Johns, Helen	Sampson, Rob
Clark, Brad	Johnson, Bert	Stewart, R. Gary
Coburn, Brian	Kells, Morley	Tascona, Joseph N.
Cunningham, Dianne	Klees, Frank	Tilson, David
DeFaria, Carl	Marland, Margaret	Tsubouchi, David H.
Dunlop, Garfield	Martiniuk, Gerry	Turnbull, David
Ecker, Janet	Maves, Bart	Wettlauffer, Wayne
Elliott, Brenda	Mazzilli, Frank	Wilson, Jim
Galt, Doug	Miller, Norm	Witmer, Elizabeth
Gilchrist, Steve	Molinari, Tina R.	Wood, Bob
Gill, Raminder	Munro, Julia	Young, David
Guzzo, Garry J.	Murdoch, Bill	

The Deputy Speaker: All those members opposed to the motion will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Di Cocco, Caroline	Martin, Tony
Bartolucci, Rick	Dombrowsky, Leona	McLeod, Lyn
Bisson, Gilles	Duncan, Dwight	McMeekin, Ted
Bountrogianni, Marie	Gravelle, Michael	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Peters, Steve
Bradley, James J.	Kennedy, Gerard	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Caplan, David	Kwinter, Monte	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ramsay, David
Colle, Mike	Levac, David	Ruprecht, Tony
Cordiano, Joseph	Marchese, Rosario	Sergio, Mario
Crozier, Bruce	Martel, Shelley	Smitherman, George

Clerk of the House: The ayes are 47; the nays are 36.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Interjections.

The Deputy Speaker: I have two points of order. I did see the House leader for the third party first, and then I'll come to you.

Mr Peter Kormos (Niagara Centre): On a point of order, Mr Speaker: Please permit me to introduce to this House Saro McKenna, home from her studies at Oxford University in England, with her mother, Sheila McKenna.

The Deputy Speaker: And the House leader for the official opposition?

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek unanimous consent to place a motion to call government order 90, resuming the debate adjourned on December 10, 2001, on the motion

for second reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste.

The Deputy Speaker: You've heard the request. Is there unanimous consent? I heard a no.

Report continues in volume B.

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Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire à la ministre de l'Environnement
Baird, Hon / L'hon John R. (PC)	Nepean-Carleton	Minister of Community and Social Services, minister responsible for children, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué au dossier de l'Enfance, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (Ind)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
Brown, Michael A. (L)	Algoma-Manitoulin	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
Carr, Hon / L'hon Gary (PC)	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Churley, Marilyn (ND)	Toronto-Danforth	
Clark, Hon / L'hon Brad (PC)	Stoney Creek	Minister of Transportation / ministre des Transports
Cleary, John C. (L)	Stormont-Dundas- Charlottenburgh	
Clement, Hon / L'hon Tony (PC)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Coburn, Hon / L'hon Brian (PC)	Ottawa-Orléans	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
Cunningham, Hon / L'hon Dianne (PC)	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities, minister responsible for women's issues / ministre de la Formation et des Collèges et Universités, ministre déléguée à la Condition féminine
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	Parliamentary assistant to the Minister of Citizenship / adjoint parlementaire au ministre des Affaires civiques

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Di Cocco, Caroline (L)	Sarnia-Lambton	opposition House leader / chef parlementaire de l'opposition Parliamentary assistant to the Minister of Education and government House leader / adjoint parlementaire à la ministre de l'Éducation et leader parlementaire du gouvernement
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	
Dunlop, Garfield (PC)	Simcoe North / -Nord	
Ecker, Hon / L'hon Janet (PC)	Pickering-Ajax-Uxbridge	Minister of Education, government House leader / ministre de l'Éducation, leader parlementaire du gouvernement
Elliott, Hon / L'hon Brenda (PC)	Guelph-Wellington	Minister of Intergovernmental Affairs / ministre des Affaires intergouvernementales
Flaherty, Hon / L'hon Jim (PC)	Whitby-Ajax	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjoint parlementaire à la ministre de la Formation et des Collèges et Universités
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore-Malton-Springdale	
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	Leader of the New Democratic Party / chef du Nouveau Parti démocratique Parliamentary assistant to the Deputy Premier and Minister of Finance / adjoint parlementaire au vice-premier ministre et ministre des Finances Premier and President of the Executive Council / premier ministre et président du Conseil exécutif Parliamentary assistant to the Minister of Energy, Science and Technology / adjoint parlementaire au ministre de l'Énergie, des Sciences et de la Technologie Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Hampton, Howard (ND)	Kenora-Rainy River	
Hardeman, Ernie (PC)	Oxford	
Harris, Hon / L'hon Michael D. (PC)	Nipissing	
Hastings, John (PC)	Etobicoke North / -Nord	Minister of Citizenship, minister responsible for seniors / ministre des Affaires civiques, ministre délégué aux Affaires des personnes âgées Minister without Portfolio (Health and Long-Term Care) / ministre sans portefeuille (Santé et Soins de longue durée) Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Hodgson, Hon / L'hon Chris (PC)	Haliburton-Victoria-Brock	
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Hon / L'hon Tim (PC)	Erie-Lincoln	
Jackson, Hon / L'hon Cameron (PC)	Burlington	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Johns, Hon / L'hon Helen (PC)	Huron-Bruce	
Johnson, Bert (PC)	Perth-Middlesex	
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Levac, Dave (L)	Brant	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Marchese, Rosario (ND)	Trinity-Spadina	
Marland, Margaret (PC)	Mississauga South / -Sud	
Martel, Shelley (ND)	Nickel Belt	
Martin, Tony (ND)	Sault Ste Marie	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Minister of Tourism, Culture and Recreation / adjoint parlementaire au ministre du Tourisme, de la Culture et des Loisirs
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough- Aldershot	
Miller, Norm (PC)	Parry Sound-Muskoka	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Community and Social Services and Minister responsible for Children / adjointe parlementaire au ministre des Services sociaux et communautaires et ministre déléguée au dossier de l'Enfance
Munro, Julia (PC)	York North / -Nord	Parliamentary assistant to the Minister of Transportation / adjointe parlementaire au ministre des Transports
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Newman, Hon / L'hon Dan (PC)	Scarborough Southwest / -Sud-Ouest	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Prue, Michael (ND)	Beaches-East York	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
Runciman, Hon / L'hon Robert W. (PC)	Leeds-Grenville	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Ruprecht, Tony (L)	Davenport	
Sampson, Hon / L'hon Rob (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Snobelen, Hon / L'hon John (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles
Sorbara, Greg (L)	Vaughan-King-Aurora	
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
Sterling, Hon / L'hon Norman W. (PC)	Lanark-Carleton	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Stewart, Hon / L'hon R. Gary (PC)	Peterborough	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint
Stockwell, Hon / L'hon Chris (PC)	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
Tsubouchi, Hon / L'hon David H. (PC)	Markham	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Turnbull, Hon / L'hon David (PC)	Don Valley West / -Ouest	Solicitor General / solliciteur général
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Wilson, Hon / L'hon Jim (PC)	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Witmer, Hon / L'hon Elizabeth (PC)	Kitchener-Waterloo	Minister of the Environment / ministre de l'Environnement
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Minister of Correctional Services / adjoint parlementaire au ministre des Services correctionnels
Young, Hon / L'hon David (PC)	Willowdale	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones

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Galt, Steve Gilchrist, John Hastings,
John R. O'Toole, Jerry J. Ouellette, Ernie Parsons
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These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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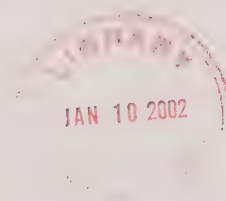
Jeudi 13 décembre 2001

Speaker
Honourable Gary Carr

Clerk
Claude L. DesRosiers

Président
L'honorable Gary Carr

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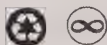
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Thursday 13 December 2001

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 13 décembre 2001

Report continued from volume A.

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OAK RIDGES MORaine CONSERVATION ACT, 2001

LOI DE 2001 SUR LA CONSERVATION DE LA MORaine D'OAK RIDGES

Mr Hodgson moved third reading of the following bill:
Bill 122, An Act to conserve the Oak Ridges Moraine by providing for the Oak Ridges Moraine Conservation Plan / *Projet de loi 122, Loi visant à conserver la moraine d'Oak Ridges en prévoyant l'établissement du Plan de conservation de la moraine d'Oak Ridges.*

The Deputy Speaker (Mr David Christopherson): Mr Hodgson has moved third reading of Bill 122. Pursuant to the order of the House of December 3, we now have a 60-minute debate with the time split equally among the parties. To lead it off I go to the minister.

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): Today this Legislature has the opportunity to pass legislation to protect the Oak Ridges Moraine and create a lasting legacy for our children and future generations.

The Oak Ridges Moraine Conservation Act, 2001, if passed, would allow the establishment of an ecologically based land use plan that would provide for future protection of 100% of the significant natural and water features on the Oak Ridges moraine. The plan would preserve agricultural land and it would limit almost all development to approve settlement areas.

This beautiful section of Ontario that stretches 160 kilometres from the east around Cobourg right across to the Niagara Escarpment in Caledon is an area in this province that has been argued about—what should be developed, what should be protected—for over 20 years. Millions of dollars have been spent for lawyers before the OMB. Governments of all parties have grappled with this issue. I was pleased this spring to be given the honour on behalf of the government by Premier Harris to see if we could find a resolution to this issue.

Our caucus has been involved in this issue: the leadership from Steve Gilchrist, Frank Klees and Janet Ecker. Other members who have ridings along the moraine have been concerned about this issue, as have previous governments under the NDP, the Liberals and even before that with Conservative governments. I had the honour of leading a process to see if we could find a consensus: a consensus on what should be protected for

future generations and a consensus on settlement areas and where development should take place with certainty.

I am pleased to report that I had the opportunity to work with some great people. I'm joined today in the gallery by some of the people who helped out to make this process come to the stage it's at today. John Riley of the Nature Conservancy of Canada is here with us. Joseph O'Neil from STORM—that's Save the Oak Ridges Moraine—also joins us; thank you, Joseph. We're also joined by John McCutcheon, a board member of Ontario's Living Legacy Trust; thank you, John.

We put together a panel of people who have been interested in the moraine and have interest, their associated membership. These people came to the table with a willingness to find a solution—not a willingness to keep on fighting; they wanted to find a solution which would work. Today we're voting on a bill that will protect, as I said, 100% of the natural features of this beautiful part of Ontario. It will protect the woodlots, the ravines—the things that we want to pass on.

We have a great province with a lot of land, but we also have a lot of development pressure on our land base in southern Ontario. This bill, if passed, will create some of the largest urban conservation areas in the world. It'll also form a trail that'll be accessible to our seniors and disabled for the full length, 160 kilometres from east to west. It will protect the core areas, and it will give certainty around the settlement areas, which only represent 8% of where people should settle in this area of the province.

The true legacy of this bill, if it's passed by this House, will really become apparent in the next 50 to 100 years, similar to Algonquin Park; when it was first set up in 1895, local people would have wondered why a government would set aside this amount of land when it's no different from the adjoining land base. Well, 106 years later, we can see the wisdom of that foresight in protecting land for future generations.

It has been my honour to lead the Mike Harris government in a number of processes which have helped the environment. The Living Legacy, where we brought together different parties to create and complete our park system, was a huge accomplishment. The managed forest tax rebate that we brought back was an accomplishment that has saved trees and made it possible to keep trees on land that's privately owned. The Nature Conservancy of Canada partnership, which we implemented back in 1996, has been a benefit to this province in protecting the environment. The dedicated revenue from our park

system to allow our parks to grow has been because of Mike Harris's belief in parks and conservation; the Rouge Valley additions to conservation lands and the protection of the Lynde Marsh.

But Tory governments have always protected the environment. The Niagara Escarpment Commission was established by the Conservative government of the time. It's something that we feel very strongly about as a caucus. Under the leadership of Premier Harris, we've done a lot to make sure that we leave Ontario a little better than we found it and we preserve the things that should be preserved for future generations.

This accomplishment, though, was brought about by a willingness not just in a partisan sense of the government members—we had caucus and cabinet fully committed to this process—but it was brought about because of the willingness in particular of all the parties that have an interest in the moraine, from the agricultural community, the aggregate industry, the developers, to particularly the environmental groups.

I'd like to thank Debbe Crandall from STORM. When I first phoned her and asked her if she'd be part of a process to find a solution, she was hesitant. I told her I understood the reason to be hesitant. It's much easier to raise money protesting government actions in door-to-door campaigns than it is to say to people, "Look, it's time to find a solution to make sure that we do something that's the right thing to do for future generations."

These people left their self-interest, their ability to raise money protesting government actions, and decided, "Let's work together to find a solution." I can tell you, it takes a lot of courage to do that. I want to thank all the members of the advisory panel for putting their personal reputations on the line and leaving the turf at the door to do something that was in the interests of all Ontarians. I will be forever grateful for that.

It has been a long process since the spring, when we announced a six-month moratorium to see if we could find a consensus, and there have been some improvements to the plan because of all the public input. We built upon the public input that had been given at the OMB hearings. We might as well make some use of those millions of dollars that were spent on lawyers making presentations. So we learned from that.

We also learned from the process that the regional governments and the nine conservation authorities had undertaken and the public discussions that they had held around the future of the moraine and what should be protected and what should be developed.

We also learned from the public meetings we had when we released our draft document in July of this year. We went out to the public and had a number of meetings. They were well attended, and we learned a lot. Again, through this process, when we introduced the first reading and second reading in that committee, we heard suggestions on how to improve the act. I want to thank everyone who spent the time to put their thoughts down in writing or make the oral presentations. They wanted to find a solution that would last, and we have listened. We

have made sure that 100% of the natural features and water features that should be protected will be protected.

We've listened to the fact that the 10-year review should have public input at that point in time as well. We got rid of, based on Mike Colle's suggestion here in the House, the ability of the minister to revoke the regulation. We've clarified that, and it's an improvement because all the members of this House have worked together to make this bill what it is today.

I would like to thank the Premier for entrusting me with this task and giving me the honour of leading it. It's one of the rewards of public office that you get to see the results of work. Oftentimes in politics, your day-to-day activities are sort of like dipping your hand in a bucket of water: you know that as soon as you lift your hand out of the water, it goes back the way it was. But on days like today, if this Legislature sees fit to pass this legislation, we will know that we have created something that will stand the test of time and that future generations will appreciate probably more than we appreciate it today.

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I'm not saying it's going to be easy—all the hurly-burly transactions that take place and the transition policies and all the updating and the conformity processes of the official plans. But if we keep focused on the goals that are outlined in this act that will be accomplished over time, with a foundation established to procure more land, public education, the trail network to be set up, the water management policies for the streams flowing on and off the moraine as well as those located on the moraine, the water protection qualities for the aquifer—it will take time to fully implement everything that's envisioned in this plan, but we are committed to making sure this happens, and happen it will.

Those are the days when you realize that public service can make a difference to the people of Ontario, so I am honoured to be able to work with my colleagues to make sure that happens in this process. I want to thank you for that.

David Tilson has lived the battles of the moraine, and he has been very supportive of making sure we did something here that would last and would stand the test of time and be an accomplishment. So I want to say thank you.

I also want to acknowledge Dorothy Izzard, who recently donated land to the Nature Conservancy. Dorothy has shown her commitment by founding STORM in 1990, and I want to say thank you to her as well. I think it's a testament to the support that we're having people come forward to say, "How can we get involved? How can we help out?"

A foundation will be established. I've already met with the interim board as they set up the legal framework for this foundation to do its work. When the actual board steps forward, we hope that all governments—municipal, federal and provincial—will contribute funds and resources to make sure that we can fulfill what is laid out in this legislation and that it will be accomplished through the plan in a quicker timeline than would otherwise be

possible. If everyone works together, we can do this in a quicker time frame.

Environmental groups are challenged to raise money, not to protest but to fulfill the plan, to make sure the dollars flow in for procurement of sensitive lands in this moraine from a willing buyer, respecting property rights. This is something that I think all members of this Legislature can be proud of: that we have a commitment to work together to build on this legislation, to make sure we have a legacy where future generations will say, "Yes, they got it right here."

I think it was John Barber from the *Globe and Mail* who talked about some of the motivation behind Premier Harris's commitment to conservation and protecting lands. It has to do with the fact that when you come from rural Ontario, you take it for granted. In Haliburton, we take for granted the natural resources, but you're already seeing pressure in the GTA, and we wanted to bring a little bit of Haliburton and North Bay to the GTA. I think this bill accomplishes that, and we want to make sure it's there for future generation.

I encourage everyone in this House to be supportive of this bill, and I want to encourage you to work in the future to make sure the timelines envisioned for the trail, for the procurement of land, the public education, the water protection, and the studies that are needed to make sure we get it right to keep Lake Simcoe as a cold-water lake are done in a quicker time frame than any of us can envision here today. It will happen if we have co-operation like we had at the panel all summer and all fall, and in this House. So thank you very much.

The Deputy Speaker: Further debate?

Mr James J. Bradley (St Catharines): Thank you for the opportunity to participate in this debate this evening on a bill which will at long last have the effect of protecting some of the Oak Ridges moraine.

I want to begin by going into the history of the Oak Ridges moraine, as this bill, I guess you might say, developed from that history.

I want to take the opportunity first of all to pay tribute to my colleague Mike Colle, MPP for Eglinton-Lawrence, because he took upon himself the role and responsibility for being the official spokesperson for the official opposition on the Oak Ridges moraine. I have the position of environment critic, and I have a good deal of interest in the Oak Ridges moraine, the Niagara Escarpment Commission and a variety of other environment issues. But Mike Colle, the member for Eglinton-Lawrence, was the individual who took this on as a personal crusade, and I was pleased to not step aside but rather work hand in hand with Mr Colle to ensure that this issue was raised to the forefront.

You can remember that when he started his campaign on behalf of saving the Oak Ridges moraine from unnecessary and unwise development, there was a lot of laughter, there was a lot of derision. There were a lot of people who said that it would never work, that no matter how much he worked on this issue, no matter how many public meetings he held, no matter how many people he

met with, how many television or radio or newspaper interviews he did, somehow it would not move the government. That did not discourage him, and he continued to work to save the Oak Ridges moraine.

I hope that nobody forgets that, because in the euphoria of a bill passing and the reception that the government holds and the propaganda that will go out with this—because inevitably there will be a propaganda piece at the expense of the taxpayers—they will extol the virtues of the government's role in this, and while the minister has been kind enough to mention the member for Eglinton-Lawrence, I hope that the people who were fighting for this in the first place remember what the attitude of the government was to begin with and what the crusade of the member for Eglinton-Lawrence ultimately produced.

I recall some of the questions that he directed to the government, and there was a dismissive answer in many cases, a hands-off attitude or an attitude which was in favour of development in this area. In 1999, which is now two years ago, the government used its majority to defeat the member for Eglinton-Lawrence's bill, Bill 12, An Act to protect and preserve the Oak Ridges Moraine, so you could see where this issue was on the radar at that point in time.

In August 1999, the former environment minister, the Honourable Tony Clement, wrote to the chair of the Durham regional council supporting a massive new sprawl of development that would double the size of Uxbridge. The letter sparked significant controversy and allegations that the minister was interfering with the issue before the Ontario Municipal Board. I remember that debate in the House.

Then the government sold off environmentally sensitive government lands on the moraine to developers. They sold these lands without a required environmental assessment and have refused to provide an environmental impact analysis of these sales to Ontario's Environmental Commissioner. The government even fought on behalf of developers at OMB hearings supporting development on these lands. They changed Ontario's Planning Act so that new developments no longer have to conform to strict provincial rules protecting farmland, wetlands and shorelines. New developments now only have to have regard to provincial policies instead of being consistent with provincial policies.

They virtually eliminated any provincial role in land use planning decisions and offloaded almost all responsibility to municipalities. They removed provincial approval requirements for changes to municipal official plans, for instance, changing farmland to urban development lands.

So there was quite a difficult circumstance facing us when Mike Colle took on this crusade on behalf of the Oak Ridges moraine. We are happy that ultimately we have a bill before the House which will go a significant way to protecting the moraine.

We have some concerns about the land swap that is taking place, that indeed is removing some other valuable

farmland in this case from farming purposes and placing it in the hands of development, and the people who reside in that area have some concerns. We're very cautious on this, because these are deals that will be done behind closed doors. I happen to believe that simply because a developer buys a piece of land that isn't zoned for development, and speculates that it will be zoned for development, no government has any obligation to provide compensation to that developer. If it is designated for development purposes, they have a case to be made, but not when it is not designated. It simply rewards speculation if you do that. I think we have an OMB which is very, very pro-development. I am concerned at the appointments I have seen to the OMB and about the actions of the OMB in dealing with issues of this kind.

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I happen to believe personally, and others may have a different view, even on this side, that it would have been advantageous to have an Oak Ridges moraine commission, just as we have a Niagara Escarpment Commission, to protect it for some period of time, that is, forever, because the Oak Ridges moraine is absolutely essential, in its natural state, to the well-being of the people of this province. The headwaters of so many rivers and streams are located in that area. I am sad that already considerable development has been allowed to take place on this particular piece of land.

I want to indicate that it has been a long process. The government, in its wildest dreams, had no intention of doing this. Make no mistake about that. Second, to this day, there are many sitting on the government benches who don't want to do this. There was a by-election in Vaughan-King-Aurora where the Liberal candidate won two to one, and I think that sent a considerable message to this government on this particular issue. Then, when the government dropped below 10% in Beaches-East York, and having lost substantially in the Burlington-Dundas-Ancaster-Flamborough area, I think the government saw that it was on the run, and it was taking a battering over the Walkerton tragedy that took place.

So as I pass on to the third party a chance to speak, I want to commend my colleague for all the work he did in the interests of the Oak Ridges moraine and its protection.

Mr Michael Prue (Beaches-East York): I rise first and foremost to congratulate Marilyn Churley for all the hard work she has done in this entire process. Long before there were other people talking about the Oak Ridges moraine, she was there. She was there in the previous government, talking about the Oak Ridges moraine. She was there with bills, trying to do the right thing a long time ago.

Ms Marilyn Churley (Toronto-Danforth): And the green planning act.

Mr Prue: And the green planning act, which was scrapped, but which has now been resurrected, in part.

I think the bill, with its many problems, is still a good bill. In spite of the many problems, which I'm sure will be fixed over the years, we can all, together as a Legisla-

ture, move to protect the Oak Ridges moraine. Many, many municipalities were on board; I think all of the municipalities of the GTA. Even the city of Toronto was there, seeking intervenor status, spending a lot of money on lawyers, spending a lot of money on consultants and people to go because they understood, and understood very well, that this is the source of the drinking water, this is the source of all the water that flows into Lake Ontario, and the huge effect that it has on the people of this city, even though the city lies largely and almost totally south of the moraine, that it is an area of environmental significance that needs to be protected.

I also rise to commend the people of the 905 area. They stood together united in what they wanted. They live in a place where you often see sprawl. Those of us who live south of the 401 often think they accept sprawl, and sprawl seems to occur there. It occurred, of course, to us a generation before, but that's where we see it now. We see the farmland being eaten up, and we see the big homes with the two-car garages. We think that is what many of them accept, but in reality, that is not what they accept. They have a vision too. They have a vision of what the moraine, what their community, can one day be. It is a vision which they were willing to fight for. They came out by the hundreds, by the thousands, to meetings. They came out and said what they wanted to do. They came out to protect the moraine. They came out to protect their neighbourhoods.

I am glad that people from all sides of the Legislature finally listened. One day—and I echo in part what the minister said—people will look back and say that this was a seminal point in the development of our province and of our city. It will be every bit as important as the stopping of the Spadina Expressway and what that did to downtown Toronto. It will be every bit as important as some of the other great landmarks in our time in history.

For those people in the 905 who played a role in it, for those residents of the city of Toronto who were willing to go that far and the former city of Toronto council who were willing to expend the money and saw this as a key issue, I say congratulations to all of them too. Thank you very much.

Mr Mike Colle (Eglinton-Lawrence): I just want to make some closing comments here.

I certainly think that this minister's tone, and I guess his actions in bringing forth Bill 122, have been a dramatic departure from what I faced in this House for the last six years. Minister Hodgson did come forward with a process that I sometimes disagreed with and a bill that I thought needed some strengthening and some improvement and needed some public hearings, but I commend him for having the courage to bring forward the legislation to that extent. That's noted by myself and a lot of people who have cared deeply about this issue when protecting the Oak Ridges moraine was not very politically correct.

As my colleague from St Catharines mentioned, the ministers on the other side would routinely laugh at us for even asking a question about the moraine, would

routinely tell us that the moraine was going to be protected by the local councils; that local councils had the tools, they had to do it; that there was no need for provincial intervention, that the province had no business there. They said they remember getting letters from members on the other side saying, "The 1994 guidelines were great, and they can take care of things. The conservation authorities are able to control this."

Anyway, we've come a long way since we first began to talk about the protecting of this valuable bioregion just north of Toronto. I think I heard the former mayor of East York talk about the 905 area. One of the things I've learned in this issue is that really there is no divide between the 905 and the 416 when it comes to protecting this bioregion, because the very essence of this moraine connects us all, whether we like it or not. Whether it's water, whether it's wildlife, whether it's how we plan our cities in the greater Toronto area, what happens to the moraine will impact on the health and vitality—environmentally, economically, socially—of all of us throughout the greater Toronto area. So that divide, I think, is long gone now.

I certainly want to again commend some of the unsung heroes in this battle. These are people who don't lead big organizations; they don't have paid staff. These were the brave men and women whom you found in places like Goodwood, Snowball and King City, who took on—I think of that brave councillor in Richmond Hill, Brenda Hogg, who essentially took on the mayor and the council and all the developers and stood up to them, time and time again, by herself.

I think of Jane Underhill, who again took on a whole council and all the vested interests in King City and kept on standing up for the moraine. I think of David Tomlinson. I can remember him appearing before one of those atrocious OMB hearings in Aurora when he was trying to save the east Aurora wetlands, when the developer had 12 lawyers and consultants there, the city of Aurora had three or four lawyers, and poor David—I shouldn't say "poor David"—heroic David, who was a naturalist, was trying to explain to this battery of high-paid lawyers and consultants that this wetland in east Aurora was worth saving.

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Those are, as I said, some of the unsung heroes that you'll never see in the newspaper articles, you'll never see on television. But they are the ones who have been, you might say, fighting the good fight for what they felt was best for the moraine. I'm talking about Phyllis Morris in Aurora; Ben Kestien, a 78-year-old senior who has been trying to save the Mackenzie wetland for over 15 years, a man who's not even healthy, yet he was out all the time at council meetings and OMB hearings trying to say, "It's nonsense what is happening up in Aurora," for instance; people like Richard Brooks; Josh Matlow; Nancy Hopkinson from Nobleton, who founded an organization called Nobleton Alert. These are the real unsung heroes who someday will be recognized.

I do want to give credit also to—the minister mentioned John Barber. I think John Barber certainly has the integrity and the intelligence to make us all stop and think, and he did on this issue. I also want to thank my long-time friend David Lewis Stein, who in many ways was a pioneer in putting the issue of the moraine before all of us. He wrote column after column and encouraged his own newspaper to put forward—David is now in peaceful retirement up in Arnprior, but I'm sure he is happy that something is finally being done. I also want to thank Mike Adler from the Richmond Hill Liberal, who time and time again came out to all the meetings, when sometimes there were two or three people, or walking through the swamps behind the Glassco wetlands.

These are some of the people who should get some recognition. You can go on, and I'm going to miss so many—Mary Kay Maynard, Teresa Johnson, out in Goodwood, Uxbridge—some very courageous people who have really helped a great deal.

I certainly think the Federation of Ontario Naturalists has put forth a lot of good work and a lot of education. There's an organization that deserves a great deal of support and credit for all the work they do, not only in the moraine.

Another most impressive group of people that—it's sad; we had the public hearings, but all the information they put forward. We had just three hours one evening. Sadly, the government didn't take into account their amendments. But of all the groups that put forward recommendations on how to strengthen the bill—and I hope some future government or this government reads their submission, and that's the Conservation Authorities Moraine Coalition, made up of the Credit Valley-Nottawasaga-Toronto region, Lake Simcoe, Central Lake Ontario, Kawartha, Ganaraska, Otonabee and the Lower Trent. They put forward some excellent recommendations that would really strengthen this bill. I hope someday they are given some kind of notice on this. I want to congratulate David Burnett, who's a senior planner with them, who put forward what I thought was one of the most comprehensive pieces of submission I've ever seen before a committee. Sadly, the government didn't see fit to listen to any of it, but that's another story.

As I said, this bill is an important initiative by this government that we all know had to happen. It's before us. We know that there are problems with it. I've talked about the problems and tried to plug them, but I guess the government decided it's time to move on.

But I certainly look upon this bill as really a work in progress. I challenge people not to think that it's done. We must continue to be very vigilant in terms of what's happening on the moraine, because there are a lot of transitional matters. The whole issue of the up-zoning of some lands was of great concern, especially the Gormley lands, north of Stouffville Road, going up to Bethesda Sideroad. All of a sudden the maps changed. I really hope that type of thing is stopped. I hope that someday the actual terms of reference, in terms of how these land swaps are made, are made public. They shouldn't be

secret, because these are public lands, and I continue to challenge the government to do that.

I also hope that one day they will make the Oak Ridges moraine preservation act permanent, because despite the removal of the clause to revoke, the minister can still revoke the plan, and that is very worrisome. We thought the wording should have been, "The minister shall not revoke the plan." That would have given us a bit more security on whether or not the plan is permanent.

We're very concerned about the allowing of aggregate extraction right in the natural core areas. We think that should be prohibited. The aggregate industry has a lot of areas where they're extracting, but they shouldn't be doing it in natural core linkage areas. That's very concerning.

The other thing that we've said from day one is that ultimately what will be required to make this permanent is an Oak Ridges moraine protective commission that becomes a watchdog of the plan, the legislation, and ensures that, whether it be the provincial government departments or local municipalities, and there are 32 or so of them involved, they adhere to not only the letter of the law but the spirit of the law. This commission would be made up of people overseen or their appointments approved by peer group environmental organizations. These would be people with good standing in terms of planning and environmental protection. Maybe not at this time, and I know the government doesn't like the idea of a protective commission, but I think the example of the Niagara Escarpment Commission has been a good one. I'm not too happy with some of the appointments they've made to the Niagara Escarpment Commission—some of the latest appointments are laughable—but anyway, this is a bill that is long overdue. We support it, but we will continue to work to make it better, along with everybody who's interested in it.

Mr Speaker, I move adjournment of the House.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All in favour of the motion, please indicate by saying "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

That's it. The motion is lost.

The member may continue. He's finished? Very well, further debate?

Ms Churley: There are many people to be, once again, thanked and congratulated for all of the very hard work that they undertook, mostly on their own time, for free. I'm talking about all the environmental groups, conservation groups and, most importantly, the citizens from the 905 region and from the Toronto region, but particularly the citizens in the 905 region, who just wouldn't take no for an answer. I think it was their activity and their refusal to take no for an answer that spurred on the politicians, frankly from all three parties, in getting an Oak Ridges moraine act passed. It goes to show that sometimes the squeaky wheel, when it squeaks loud enough, really does work, especially if there's a leader-

ship convention coming up—that helps as well—and especially when, in this case, the land we're talking about happens to be in an area that has a lot of Conservative members.

The members finally did get the point and brought forward this bill. But the minister has to admit they came in kicking and screaming. It took a long time and it took a lot of effort. Come on, Minister, you would agree with me that there was a lot of kicking and screaming going on over there, saying, "No, we're not going to do it."

This party, the New Democratic Party, brought forward two bills—not just one, but two—to protect the moraine. Ms Shelley Martel, to the extent that we can in this House—technically, we can't—co-sponsored a bill with me. That one passed through the House and then died on the order paper. Then I put forward another bill, a comprehensive bill, which was debated in the House and actually got sent to committee. It was never called for committee but it got sent. Each time we raised the questions in the House and put forward our bills, more and more interest was being developed and more and more pressure was heaped upon the government. You could just seem them folding, day after day. We just thought that if we could keep this pressure up, which we did, along with the citizens and frankly some of the news media too, who were on this day after day after day—I suppose you could say it was a partnership, which sometimes happens in this House and with the citizens out there and the media. If you've got a really good case to put forward and you keep at it and you keep pushing, you can actually win.

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This was a very important victory. This was an important victory for the citizens who live in the 905 area and an important victory for those of us live in Toronto, and indeed a big victory for the environment. Our bill, the bill that we put forward—and this is what I want to say to the minister; I'm glad he's sitting here—involved more than protection of the Oak Ridges moraine. It did call for a freeze on development and all kinds of other things to put in place after we did when we were in government; as you know, Minister, we did a study and plan which, after we lost the government and you came into government, just sat there. But we did do a lot of work on the Oak Ridges moraine, and we brought in a green planning act. That green planning act was revoked as soon as this Conservative government came into power. That green planning act was put in place not only to protect the Oak Ridges moraine but to try to protect all the environmentally sensitive land across the province.

We went out there and we tried to find a balance—that's a word the Tories like to use a lot, finding the balance. We tried to find that balance. Some people thought it tipped too far in terms of protecting the environment. In my view, it didn't go far enough. But overall, there was support—perhaps grudging in some areas—for that bill. It was a very important bill in terms of being able to continue to develop and grow in a real smart way, not the

dumb way this government is going at it, through creating highways and things.

To this day, one has to wonder why that green planing act was revoked. One can only suggest that it was done so that the government could support their developer friends in continuing with the urban sprawl we're seeing across this province, which is a real problem, not just for the environment, but we're losing all kinds of valuable farmland.

Now that we're going to pass this bill today—and I think this bill is one of the rare ones you're going to have all-party support on—I would like to see the next step, Minister. You have shown some leadership in this area and it's appreciated—and don't you dare quote that in your literature.

Hon Mr Hodgson: It's in the Hansard.

Ms Churley: That's true. It's in Hansard. But I'm a person who gives credit when credit is due and, believe me, it doesn't happen very often in this Legislature. But in this case, I have said that before and I'll say it again.

But you need to take into account many of the suggestions and amendments that were proposed by people who in fact were on your advisory committee. Thank God they were there, because I think a lot of concessions—in some cases compromises—were made that were very important. Many of them came forward for the three hours—three hours, Minister—that were given for so-called public hearings, because we insisted on them, as you know, and the organizations, environmental groups and citizens insisted on those hearings. It was three hours the night before we were going to review, so I thought, the amendments; this was all time-allocated, as you'll recall.

All these people came in with absolutely incredible presentations. I have many of them with me here, and I was just blown away by the amount of work these people had put into not just getting to the point where we have this bill before us but in analyzing the bill and coming forward and saying: "These are the things we like; this is what's good about the plan. These are the problems, and we need you to fix these problems."

What happened, however, was that—and get this—the NDP had our amendments in the night of the hearings, but the deadline for amendments wasn't until 8 o'clock the next morning, the very morning we were to have clause-by-clause deliberation of the bill. So we got the Tory amendments at 8 o'clock the next morning, and some of those amendments, you have to admit, were quite technical. As we were poring through them before going in for clause-by-clause, I was thinking, "I don't know what this means. I'm going to have to ask, because I'm going to be asked to vote on something that may be improving the bill but I don't know what it means." So I went into—

The Deputy Speaker: Please. It's getting just a little loud again. There are a number of conversations. If we could just keep it down, it would be much appreciated.

Member, please continue.

Ms Churley: I went into clause-by-clause the next morning with my amendments and with the Liberal and Tory amendments, which I had just gotten, and I had some very specific questions to ask about some of those technical amendments. I know that the bill was time-allocated, and we were angry about that—and if you read Hansard, Minister, I was not complimentary in those comments. I knew we couldn't debate the amendments in the committee hearings, but I was under the impression that we could at least read our amendments into the record, which is the norm around here, and be able to ask at least technical questions. To my astonishment—and I don't think you'd support this, would you, Minister, because this is what happened and it was wrong—the Chair of the committee, because of the time allocation motion, told me, "No, you can't do that," when I started to read my amendment into the record.

I wasn't happy about that. Then I found out that I wasn't able to ask technical questions about some of these amendments that I was to be asked to vote on. Then we found out that the amendments weren't even going to be read out. The Chair of the committee, Mr Gilchrist, simply read out, "Shall section 2 of the bill pass? Yea or nay?" That was it. He was just going to go through all the amendments in that vein. In protest, I walked out of clause-by-clause, because there was no point in my being there. How could I vote on amendments when I didn't even understand the implications of some of them? That is a real slap in the face to democracy, which we're seeing far too much of around here. I think both opposition parties showed their good faith in getting this bill passed when the minister first introduced it and we allowed it to go through right away. So I walked out of the committee clause-by-clause, and now the bill is before us.

Later on that day, Mr Fred Gloger, a researcher who works very hard, as do all our researchers and all our staff, may I say, in our caucus—some of them are here tonight working late, and do an incredible job for us, getting us prepared for all these bills that come before us in this House and that often go through so rapidly that there's barely time to analyze them. I want to thank and congratulate our staff for all the hard work they've done on behalf of the NDP caucus.

Fred Gloger worked away analyzing these amendments, and we found there are still some real problems. Despite the amendments that the government brought forward, most of which were technical, there are some real problems with the bill. I'm hoping very much, even though the amendments were not accepted—because this bill is really a shell of a bill, a lot of the work is going to be done through regulation—that some of those suggestions and recommendations and amendments put forward by our caucus and by many of the groups that came before us can still be considered during the regulation-setting period. Because it is a shell of a bill, I'm hoping that opportunity will be there.

I want to talk a little bit about some of those concerns. There are, as I understand, about 360 development appli-

cations that are still being considered. That's 360, and there was no amendment to fix this. As you know, Speaker, one of the New Democratic Party's amendments was to fix these loopholes that allowed exemptions to applications made before last month. They're being exempted from the plan. We're really very, very concerned, and have expressed on many occasions, that this will lead the government to give away massive amounts of public property to developers in compensation, and likely this is going to be done in secret and likely for far more than the property the developers are giving up is worth under the current zoning. Now, we say, as New Democrats, that we believe that some of the developers should be compensated. That's fair.

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Interjections.

The Deputy Speaker: Please, members, I'm asking you to be co-operative. Please stop the clock. Thank you. There are too many members standing, and too many discussions going on, including the gallery. Please, this is an important matter. I would ask you to pay attention to the speaker.

Sorry for the interruption.

Ms Churley: That's OK, Mr Speaker. I understand that people are getting a little bit tired, but we're going to be here for many more hours. Also, I'm sure that all members in the House will want to hear what I'm saying, because these are important loopholes in the bill. I believe that's why the government rushed through public hearings and didn't give us any time to really examine the amendments, and didn't give us an opportunity to put forward our amendments and have a real discussion about them so that we might have been able to improve the bill that's before us today.

So I was saying that we have real concerns about developers getting compensated; in some cases, sweetheart deals made behind closed doors with the government. That shouldn't happen. Those who should be compensated—that should happen in a fair, above-board, transparent way. Under the existing bill, the way it's worded now, that is not going to happen.

Another problem that we pointed out was land that was supposed to be designated as countryside suddenly, somehow, became zoned as residential. I don't know how that happened, but it did happen.

Mr Steve Gilchrist (Scarborough East): That's not true.

Ms Churley: Yes, it is.

There are issues around gravel pit operations still going to be allowed in wildlife corridors. These kinds of things are issues that still need to be dealt with. I'm really concerned that they're not going to be dealt with. Down the road, we've got this—speaking of roads, by the way, that just reminded me there's still going to be highway development through the area. As I've said in this House before, the idea of extending a highway and building a new highway through the Oak Ridges moraine area, especially given that the plan still can be reopened in 10 years—there can be real pressure, because you build

roads and development comes. That's the iron law of building roads. The development just comes after. There is an incredible amount of pressure, no matter who's in government, to allow that development to take place.

An amendment that the government made that I wanted to ask questions about, but didn't have the opportunity, is that the government said that it got rid of a very, very critical section of the bill that we were concerned about, and that is the ability of the government to revoke the plan any time they want to. They say their amendment takes that out but, in fact, when you look more closely at the various amendments that pertain to this particular very troubling clause, the fact that a government could at any time revoke the plan—remember that this law can still be revoked by regulation. What their amendment does is allow more of a process before it happens. The NDP put forward a motion that made it very clear that the plan could be amended and changes could be made to improve the bill to protect the Oak Ridges moraine.

So I now want to move adjournment of the debate.

The Deputy Speaker: Ms Churley has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will please indicate by saying "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1924 to 1954.

The Deputy Speaker: All those in favour of the motion will please rise and remain standing until counted by the Clerk.

All those opposed to the motion will please rise and remain standing until counted by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 36; the nays are 47.

The Deputy Speaker: I declare the motion lost.

Pursuant to the order of the House of December 3, I am now required to put the question.

Mr Hodgson has moved third reading of Bill 122. Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 1957 to 2002.

The Deputy Speaker: Those in favour of the motion will please rise and be recognized by the Clerk.

Ayes

Agostino, Dominic	Gilchrist, Steve	Miller, Norm
Arnott, Ted	Gill, Raminder	Molinari, Tina R.
Baird, John R.	Gravelle, Michael	Munro, Julia
Barrett, Toby	Guzzo, Garry J.	Murdoch, Bill
Bartolucci, Rick	Hampton, Howard	Mushinski, Marilyn
Beaubien, Marcel	Hardeman, Ernie	Newman, Dan
Bisson, Gilles	Hodgson, Chris	O'Toole, John
Bountrogianni, Marie	Hoy, Pat	Parsons, Ernie
Boyer, Claudette	Hudak, Tim	Peters, Steve

Bradley, James J.
Bryant, Michael
Caplan, David
Chudleigh, Ted
Churley, Marilyn
Clark, Brad
Coburn, Brian
Colle, Mike
Cordiano, Joseph
Crozier, Bruce
Cunningham, Dianne
DeFaria, Carl
Di Cocco, Caroline
Dombrowsky, Leona
Duncan, Dwight
Dunlop, Garfield
Ecker, Janet
Elliott, Brenda
Galt, Doug

Jackson, Cameron
Johns, Helen
Johnson, Bert
Kells, Morley
Klees, Frank
Kormos, Peter
Kwinter, Monte
Lalonde, Jean-Marc
Levac, David
Marchese, Rosario
Marland, Margaret
Martel, Shelley
Martin, Tony
Martiniuk, Gerry
Marchese, Rosario
Maves, Bart
Mazzilli, Frank
McGuinity, Dalton
McLeod, Lyn
McMeekin, Ted

Phillips, Gerry
Prue, Michael
Pupatello, Sandra
Runciman, Robert W.
Ruprecht, Tony
Sampson, Rob
Sergio, Mario
Smithe, George
Sterling, Norman W.
Stewart, R. Gary
Tascona, Joseph N.
Tilson, David
Tsubouchi, David H.
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Wood, Bob
Young, David

abilities legislation. It has been my privilege, as Minister of Citizenship, to work with this caucus and with this government to fulfill a promise that we made to the people of Ontario, in particular, to Ontario's 1.6 million persons with disabilities, that Ontario would again continue to be a leader in providing services, support and understanding to fill the needs and meet the daily challenges faced by persons with disabilities.

Ontario has been recognized as a leader. It was a Conservative government that brought the Human Rights Commission to this continent. It brought in the first Human Rights Commission and human rights legislation on this continent. It has made significant additional amendments to legislation over the course of the last few years. So I am pleased to be part of a Conservative government that today stands before the people of Ontario to present the Ontarians with Disabilities Act.

It has been a very interesting 10 months and two days for me as Minister of Citizenship as I have benefited from the advice of my caucus colleagues who have pointed me to every corner of this province to meet with persons with disabilities, to consult with them, to listen to their concerns, to learn, to try to understand just exactly how people with disabilities have difficulty navigating through daily life activities that we, who are fortunate enough not to be challenged, take for granted every day.

I would like at the outset to acknowledge the work that has been undertaken by my predecessor ministers, the Honourable Marilyn Mushinski, the Honourable Isabel Bassett and the Honourable Helen Johns, who were ably supported by their parliamentary assistants, Derwyn Shea and the Honourable Brenda Elliott.

Applause.

Hon Mr Jackson: Yes, I think they should be acknowledged for their efforts.

We learned that governments all across Canada have lacked the courage to make this kind of commitment. In fact, there wasn't even this level of commitment made by all the political parties six years ago when they presented themselves to the people of Ontario to become the government. This is a rather unique step for Ontario, being the first province in Canada to undertake such a comprehensive first step in providing these services.

We also had an opportunity to acknowledge the incredibly wonderful work that has been going on in Ontario, a compliment to communities and organizations. Whether they were within government, within municipalities, whether they were service providers, whether they were the private sector, there were abundant examples of leading-edge, sensitive understanding of the needs of the disabled community. We've had many opportunities in the course of the last year to pay tribute to that work.

But now is the time when all Ontarians, regardless of where they live in Ontario, should be able to come to expect that that level of understanding, that those standards will be put in place for this province. Although there are many good things that have been going on to make Ontario more accessible, we have failed, as previous

Clerk of the House: The ayes are 83; the nays are 0.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Applause.

The Deputy Speaker: All right, lots of congratulations to go around.

I recognize the House leader for the official opposition on a point of order.

Mr Dwight Duncan (Windsor-St Clair): I seek unanimous consent to introduce a motion that would call government order G81, resuming the debate adjourned on December 11, 2001, on the motion for second reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts.

The Deputy Speaker: Is there unanimous consent? I think I heard a no.

ONTARIANS WITH DISABILITIES ACT, 2001

LOI DE 2001 SUR LES PERSONNES HANDICAPÉES DE L'ONTARIO

Mr Jackson moved third reading of the following bill:

Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts / *Projet de loi 125, Loi visant à améliorer le repérage, l'élimination et la prévention des obstacles auxquels font face les personnes handicapées et apportant des modifications connexes à d'autres lois.*

The Deputy Speaker (Mr David Christopherson): Pursuant to the order of the House of November 21, we now have a 60-minute debate, with the time split equally among the parties. To lead off, the minister has the floor.
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Hon Cameron Jackson (Minister of Citizenship, minister responsible for seniors): It's an honour for me this evening to participate in this historic debate on not only Ontario's but Canada's first comprehensive dis-

governments, to do the work to put in place the standards and the guidelines which could be consistently approved as the law in this province. In the absence of this foundation on which to build an Ontarians with Disabilities Act, we've set about in this legislation to make the necessary changes to move Ontario toward being a more accessible province for all of its citizens.

There were several principles that guided us. There were the 13 principles that this House unanimously approved. That was extremely helpful. It was a basis on which we could all come to an agreement as to which elements we felt must be contained in an Ontarians with Disabilities Act. The government has responded, first and foremost, by saying that before we ask anyone in this province to comply with the mandatory guidelines, the first mandatory guidelines would fall upon the shoulders of the government of Ontario, each and every ministry, each and every agency of the government of Ontario; and secondly, that those who rely on the support of taxpayers in this province, their agencies and their organizations, whether they are hospitals, community colleges, universities, whether they are municipal institutions, they too must be compliant with these new higher standards of compliance that will be required in Ontario.

These organizations will all be required, for the first time in Canada, to develop and file annual accessibility plans, and those plans will be made public. Those plans will have input from the disability community, another feature which doesn't exist anywhere in North America. Those plans will be the basis on which we begin to do two things and two of the most important promises we can make to persons with disability, and that is, we as legislators can this evening say that in Ontario we will not create new barriers for persons with disabilities any longer in our province and that we will have a managed plan that has acceptance and buy-in from all stakeholders in this province, a plan that will manage how we remove existing barriers so that there will be a day in Ontario when all these barriers are removed.

The most significant reforms we can remember ever occurring in this province were when we asked the stakeholder communities themselves to become part of the legislation and drive the reforms. This was not done very often in any legislation that I can remember. I know it formed part of the impetus behind the Victims' Bill of Rights and the desire to develop an Office for Victims of Crime where we actually empower victims in this province to drive reforms and guide the government in legislation.

This is now the second opportunity whereby the disability community, by legislation, has the authority to serve and participate on access advisory committees municipally all across this province, in every corner of this province. We will now have an opportunity for the disability community to have input into the regulations before they are proclaimed and become law in this province, and they will have an opportunity to help the government draft those regulations, for the first time entrenched in legislation, through the Accessibility Ad-

visory Council of Ontario. We've had past councils, but their role was never defined, never entrenched in law. They were never given a meaningful mandate, and the ministers of the day could choose to meet with them once a year, which was the habit, as I understand it, or not.

This is going to be a very dynamic, powerful organization of disabled persons, the majority of whom will be disabled persons, on the Accessibility Advisory Council of Ontario. They will be driving the reforms and working on the regulations, supervising and examining the accessibility plans for all of the broad public sector in the first phase of this legislation and ultimately examining and developing the mandatory plans for the private sector in the future when we have those regulations ready.

Those are the commitments and the principles, two very unique approaches that we cannot find anywhere in North America.

I want to publicly thank the first group of individuals I had the privilege of meeting with as minister. I asked very simply, "Where is the very best work occurring in Ontario as it relates to understanding the needs of the disabled and doing something about it?" I was taken to the city of Windsor, and there I met with the Windsor Advisory Committee on Disability Issues. I met three very incredible people: Dean LaBute, Councillor Joyce Zuk and its chair, Carolyn Williamson. They showed me a community that had an understanding municipality, with Mayor Mike Hurst and members of council. This committee has been in operation for 20 years. They are so far ahead of any other community in our province, it was refreshing to see.

What we took from that was that when you allow the disability community to help direct the outcomes of how your community is planned and how you can have a plan to remove barriers, it will in fact work. From our experience in Windsor, we took that model, and I want to pay tribute to those individuals for the work they've done, to the March of Dimes and Easter Seals, who sat down with me as minister very early and advised me of all the exciting opportunities we had in this legislation to build a foundation on which to make the most progressive legislation in Canada. They have stayed with the process. They have said they want to participate and shape and mould this legislation, and they have seen the results of their work through the course of the last six years, but culminating in very intense work over the last few months to see a whole series of new amendments that were tabled. I think it's almost an unprecedented number of amendments, almost 30 amendments, to this legislation that came from the public hearings. I've read each of the briefs that were presented. I had the opportunity to read them, to receive the reports back from the members of the committee in our caucus, chaired by Marcel Beaubien, with John O'Toole, Ernie Hardeman, my parliamentary assistant Carl DeFaria, and Joe Spina; these people did a tremendous amount of work—

Interjection: Frank Klees.

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Hon Mr Jackson: And Frank Klees. Thank you. They did a tremendous amount of work, keeping me abreast and informed. They came forward with the recommendations we received from the disabilities community, and these are some of the amendments that have been added to this landmark legislation. For example, we brought in a series of penalties that now will apply to the legislation—a \$50,000 fine for non-compliance. That fine in the act covers ministries, hospitals, universities and municipalities. That's what the disability community wanted to have. We didn't get a lot of advice as to what the penalty should be, but we did put this into the legislation based on the recommendations of groups like the March of Dimes.

We further refined the definition of "barriers." I want to publicly thank my colleague Norm Miller from Parry Sound-Muskoka who, representing a series of smaller communities in his riding, suggested that all of Ontario should be covered by the responsibility of completing accessibility plans but not necessarily having to put together an access committee. As you know, the threshold was for 10,000. Communities below 10,000 didn't have to publish a plan, nor did they have to have an access committee. Norm, consulting with the mayors and reeves in his riding, recommended that we should do this amendment. More disabled groups came forward and said that this bill should cover all Ontarians. We're pleased to report to the House that Bill 125 now covers all of Ontario.

We have entrenched in legislation the fact that these municipal advisory councils can review site plans, in accordance with the Planning Act, for approval so that no buildings of any significance are proceeding—that they can choose the ones for review to provide input before mistakes are made by not building them to the highest accessible standards that that community chooses should be in place.

There are more amendments, over 30 amendments. My colleague Dianne Cunningham has done tremendous work. I've worked with her for the last 15 years in her work with the Ontario Brain Injury Association, and we've included for the first time in Canada in the definition of "disabilities," for example, brain-injured persons. Again, we thank her and the association for those amendments. And Tina Molinari, like Dianne Cunningham, knows first-hand the struggles families go through when they are raising a child with a disability, not only the emotional difficulty but the aspirations they have for their children as they grow up into adult life. I want to thank them in particular for their personal experience and their advice in helping to shape this legislation.

There are several very important people within my ministry. Our team was able to get a lot of work done in less than 10 months: first and foremost my executive assistant, Carolyn Chaplin, who has been tireless in her efforts to make sure this legislation was delivered on time in accordance with the principles we promised the people of Ontario; my deputy minister, Bill Allen; Katherine

Hewson; David Lillico; and one of the researchers, himself disabled, whom I asked if he would help work on this legislation; and I want to publicly thank David Haag for the work he did as a researcher.

We have heard from many organizations in Ontario who have expressed their support for Bill 125. In conclusion, I'd like to read into the record three of those comments from individuals who helped shape this legislation.

The Canadian Paraplegic Association shared their thoughts with the standing committee and said the following:

"The CPA is pleased to lend its support to this historic legislation. It is new legislation, untried by the people it affects and untested in practice or in the courts of law. Because it is so new and unprecedented, it would be unrealistic to expect it to be perfect or to address every single need and desire of every person or group of persons with disabilities.

"Suggestions for improvement, however, do not need to be and should not be construed as criticism of" this important "act."

The Ontario March of Dimes said it "supports the Ontarians with Disabilities Act as a good first step in the removal and prevention of barriers to persons with disabilities in this province.

"The legislation succeeds by placing a disability lens over all aspects of public policy and implementation at the provincial and municipal levels. This lens can be brought into focus through the proposed Accessibility Advisory Council of Ontario and the local municipal accessibility advisory committees.

"The Ontario March of Dimes is committed to involved in all aspects of the passage and implementation of this legislation."

Dave Shannon, a Thunder Bay lawyer himself disabled, in his presentation to the standing committee in Thunder Bay said, "The government of Ontario should be congratulated or being the first jurisdiction in Canada to attempt to further remove the barriers faced by persons with a disability through the new ODA bill.

"It is extremely difficult to legislate the removal of prejudicial attitudes, but legislation can create a context for a more socially inclusive environment. These attitudes can be reshaped through greater working relationships and the development of mutually beneficial strategic plans.

"I indicate my support for the legislation and belief that with the appropriate ministry commitment it will be an important tool in the eventual removal of barriers faced by Ontarians with a disability, and furthermore change attitudes for all Ontarians to decrease the all too pervasive prejudice against persons with disabilities."

Finally, Barry McMahon, the chair of the access advisory committee of the city of Ottawa, said at the standing committee, "We are encouraged that there will be form, structure and content. We have never seen a coordinated effort to make all people with disabilities feel they are full participants in this great province. In

many ways, the process will provoke change. We see it being powerful because for once it directly involved the people it is supposed to assist."

I want to thank our Premier, Mike Harris, for his commitment to the citizens of Ontario with disabilities and for bringing in this landmark legislation.

On a personal note, I would like to thank my late uncle Ted, who was deaf. Our family grew up understanding the difficulties he had feeling a part of the world we live in. I would like to dedicate this bill in his memory.

I particularly want to applaud the work of persons with disabilities, many of whom assisted me in this journey with this legislation. Their journey has been a very long one. Their courage has been extraordinary, their dedication unsurpassed and their tenacity unbeatable. It has been my privilege to be their voice in cabinet and my distinct honour to be their Minister of Citizenship.

The Deputy Speaker: Further debate?

Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot): I'm sharing my time with the members from St Paul's, Prince Edward-Hastings and Thunder Bay-Superior North.

It's been a long and winding road that has led us to this place but, like so many other roads this government has asked us to sojourn, we've actually not travelled very far at all. In fact, when all is said and done, this government will once again see to it that there's far more said than there is done. The stakeholder groups tell us that this legislation is neither historic nor comprehensive. Based on the hearings I've attended and in conversations with disabled stakeholders, I can only conclude that there is a broad-based and very profound sense of disappointment with this legislation. The stakeholders wanted to believe that this minister and his government were serious about the legislation. Today, sadly, they are embarrassed by and for the minister opposite. They see the 11 broad-based principles unanimously agreed upon in this House largely ignored or abused. They see a bill that is silent in far too many areas and far too limited in its perspective. There was also concern that there are no real enforcement teeth within the legislation.

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Mr Ernie Hardeman (Oxford): It was amended, Ted.

Mr McMeekin: Not amended far enough.

Most importantly, and critically, the stakeholder groups have expressed a broad consensus that the time taken to prepare this bill was largely wasted and that in order to get it right, the minister should both broaden the scope of the bill and present the regulations which will be part of this bill to this Legislature for debate. Given our journey, stakeholders are predictably skeptical and fearful that this government will do behind closed doors what they're too embarrassed to do out in the open.

On a personal note, I'm very disappointed. Not that many weeks ago, the minister and I attended a meeting together in Burlington at the Burlington Association for the Intellectually Handicapped. An advocacy group associated with the association described the crisis in hous-

ing. I was somewhat familiar with it, having had some personal and professional experience with another group that delivers housing for the disabled. It was pointed out that for the first time in history, intellectually handicapped children are outliving their parents. It was also noted that there are many on the waiting list for housing assistance, and their parents are absolutely frantic with worry.

The cost of providing housing and some of the municipal zoning restrictions were noted by the minister. I noted that I would stand on this side of the House with the minister, should he and his government display the courage to move to restrict municipalities from arbitrary zoning provisions that have the effect of excluding the housing of intellectually handicapped persons and any bold step to make housing for those in our community with an intellectual handicap a matter of entitlement. Sadly, nothing happened in either respect.

There you have it: a sincere 1995 promise by a departed Premier to enact a good piece of legislation, unanimous agreement in this House, a false start in 1998 and now a pathetic and poor shell of a bill. So much more was possible than this profound and very disappointing failure from a government that has clearly run out of gas and had the time to do so much better.

Mr Michael Gravelle (Thunder Bay-Superior North): I want to stand here and express disappointment in this legislation on behalf of the groups in Thunder Bay that appeared before the all-party committee last Thursday, December 6. The minister made reference to one gentleman in Thunder Bay who supported it, but unfortunately the minister wasn't there. If he had, he would have been listening to groups, such as PUSH Northwest, Persons United for Self-Help in Northwestern Ontario, the Handicapped Action Group Inc, Brain Injury Services of Northern Ontario and the Canadian Hearing Society, organizations that came to the hearings to express their deep disappointment in the bill and their belief that the bill could only have merit if significant amendments were put forward that would indeed make this bill a significant piece of legislation, amendments that would deal with mandatory enforcement, amendments that would deal with precise timelines, amendments that would provide at least an obligation on the private sector to remove barriers. These were amendments that they made clear needed to be passed. Our caucus critic, Mr Parsons, brought those amendments forward and they were turned down by the government. Regardless of what the minister says, there's a great disappointment.

The long and the short of it is, the public hearing process was nothing less than a sham, because the minister did not listen and the government members did not listen. The fact is, there is great disappointment that this legislation, which should be far more meaningful, simply is not.

Mr Tony Martin (Sault Ste Marie): I stand here tonight with my colleague from Prince Edward-Hastings and my colleagues from the NDP caucus very disappointed that we're here, at 8:30 on the last night of these sittings before Christmas, not knowing when we're going

to come back—who knows, we might even have had an election by the time we're in this place again—debating a bill that has been long awaited by a million and a half disabled citizens across this province, a bill they've been promised for six and a half years, a bill that this government waited to introduce until about three weeks ago, brought it in, introduced it for second reading in a matter of days, a couple of days after introducing it for second reading, brought in time allocation, which indicated we were going to visit four communities across this province when there were so many other communities we could have visited. Now here we are tonight, the last part of that time allocation motion, an hour—20 minutes for each caucus—to put on the record all we heard from the almost 75 groups and individuals who came forward to tell us they had some real and serious concern about this bill.

This government should have been willing to go into the New Year with this bill. This government should have been willing to take this legislation, this important initiative, across the province to community after community in northern Ontario, southern Ontario, eastern Ontario and western Ontario, to big communities and small communities, so that we could hear from the disabled what they have to say, to share with us the barriers they encounter every day and what we as a government need to do to actually remove those barriers. But alas, that's not going to happen, because this government is more interested in getting into their leadership campaign, putting their energy and effort into trying to come up with another formula to give them power for another four or five years in this province, something we will fight with every inch and every ounce of our being.

This government has bills lined up here tonight, which they want to get through this House, that should have been organized more effectively, introduced earlier and had real debate. This government should have been ready to honour the process of this Legislature that has worked so well for so many years and given those pieces of legislation that people out there across this province feel very strongly about and know they need and deserve the kind of public input and dialogue and argument back and forth between the various parties so that at the end of the day we could be satisfied that we had something here we could all be proud of, that would actually deliver on the promise.

We should be coming back to this House on January 14 to continue the work of this government, to continue the work of this place, to continue the work of this Legislature. We should be willing to do that kind of work. We owe it to the people of this province to do that. There is important business before us. There's important business that this government has lined up, which we're probably not going to get to tonight and which we should have been able to get to, that this government should be willing to commit to coming back on January 14 to deal with.

This government had a myriad of opportunities to indicate to the disabled in this province that they understood and that they cared.

One of the very first things they did when they got to be government was get rid of the Employment Equity Act. You'll remember how they went across the province and called it the quota act. We know what that was. That was spin—

Mr Peter Kormos (Niagara Centre): Bull feathers.

Mr Martin: That was bull feathers, as the member for Niagara Centre said.

The second thing they did was get rid of the commission that was put in place to make sure the Employment Equity Act actually worked for disabled people. They threw that out. Now with this bill they want to bring that back in again. What a novel idea.

They got rid of the only initiative in the country at the time providing social housing, fixed so that people with disabilities could actually live in some of those units. They cut that out as well. They went around the province calling it a boondoggle. Do you remember that? We were wasting money building homes for the disabled. Do you remember the government saying that? Absolutely.

Then they laid off literally thousands of civil servants across this province, and never once did they ask the question, "Among that group we're laying off, how many disabled people are getting laid off? How many?" Never once; not once.

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On two occasions, they brought forward bills to introduce an Ontarians with Disabilities Act to this Legislature, and on each occasion, including the one we speak on here tonight, it was just so much fluff and spin, more fluff and spin than substance.

Tonight, I'm here to give honour and thanks to all those disabled activists across this province who have been hoping and working for six and a half years now, some of them actually from the early 1970s, talking to subsequent governments about their needs and what it is that we needed to do. So I give honour to them, to all of those who worked with David Lepofsky and the Ontarians with Disabilities Act Committee across this province, community after community, and Gary Malkowski, our colleague when we were government here from 1990 to 1995.

I give honour particularly to those who were able to pull it together on such short notice and get to those limited hearings that we had across this province to tell this government what they thought, what they felt and what they suggested needed to be done to actually make this bill effective.

I would like to say here tonight and to promise to the people of Ontario, particularly to the one and a half million Ontarians, that I've heard what you had to say and the New Democratic caucus at Queen's Park and the New Democratic Party across this province has heard what you had to say. I want you to know that if we are elected government in the next election, we will introduce a real, strong, effective ODA that truly breaks down barriers and sets out real timelines to a barrier-free Ontario.

We promise to enact this legislation within our first year in office and, unlike this government, we will keep our promise. We promise to truly work with the disability community to ensure effective legislation, and we will make sure there are no barriers to anyone's participation. Unlike the current government, we will bring together persons with disabilities with other stakeholders, like the business sector, to make sure our legislation will work best for all those involved.

Our party would ensure that the legislative process for considering our new bill would be open and barrier-free for persons with disabilities. Unlike this government, we will give adequate notice of public hearings and legislative debates, to enable persons with disabilities to attend and to ensure that needed accommodations are provided. This is our pledge. This is my pledge and the pledge of the New Democratic Party. It's a promise we won't break.

The Conservative government of Ontario has broken promise after promise. With this law, Bill 125, the Conservative government has broken its promise and it has broken many hearts across this province. As the Windsor Essex Bilingual Legal Clinic stated in their deputation to the public hearings, "By calling Bill 125 the Ontarians with Disabilities Act, expectations are raised that the legislation is analogous to the Americans with Disabilities Act. However, Bill 125 is not rights legislation similar to the Americans with Disabilities Act. It does not create new rights for persons with disabilities in Ontario with respect to accessibility, nor does it create new legal procedures or enforcement mechanisms. Its focus is the development of accessibility plans by various public sector entities in Ontario and provides some opportunity for persons with disabilities to be involved in the creation of accessibility plans. A more appropriate title"—they suggest—"would be the accessibility planning act."

Today was supposed to be a time for celebration for the disabled community. It was supposed to be the culmination of more than half a decade's worth of lobbying by the disability community, a community that envisioned a strong and effective Ontarians with Disabilities Act and dearly hoped this government would deliver. As the Sault-Algoma Ontarians with Disabilities Act Committee said in their deputation, after driving four hours to Sudbury to present, "Persons with disabilities are significantly unemployed and underemployed regardless of qualifications or education. This act does not address this problem or provide additional incentives for employers to hire qualified people with disabilities."

For years the disability community has been held hostage by a series of broken promises by a Conservative government that kept claiming its intention to bring in a strong law to make Ontario barrier-free. Year in and year out, the Conservative government broke its promise, yet public support for an Ontarians with Disabilities Act grew. Finally, when the government was forced to actually act, look what we got: legislation that even the government's own supporters can only call better than nothing.

Actions speak louder than words, and today, as the Conservative government rams through a lily-livered facsimile of an Ontarians with Disabilities Act, I say shame on you.

The chair of the Peterborough council for persons with disabilities expressed her frustration with the high speed and very limited public hearings. She said, "We are very displeased that the process of hearings is on a fast track and thus will not accommodate the numbers of groups which have requested standing." To her and all those others who feel the same frustration, sadly all I can say is, at the end of the day, it doesn't matter that they didn't get to speak. This government had no intention of listening anyway, and for that I say shame. Shame on you for building up the hopes of the disability community, then betraying them in the most fundamental of ways.

Shame on you for plowing ahead with a public hearing process that was not accessible to hundreds of persons with disabilities who would have appreciated an opportunity to have their voices heard. It is, to say the least, hypocritical of a government to claim it wants accessibility legislation when its very own process is inaccessible to those most directly affected by it. You set up barriers to people with disabilities who wanted to comment on this bill, who wanted to improve this bill and make it the legislation it should be. For that, I say shame on you.

And shame on you for rejecting strong, viable amendments from the opposition parties that would have made an Ontarians with Disabilities Act we could all be proud of here. Instead, we are faced today with a piece of legislation that is not much stronger than the flimsy Bill 83 this government tabled in 1998 and then quickly withdrew, like a dog running away with its tail between its legs.

In the weeks leading up to Bill 125, the minister released the government's vision statement and then proceeded to table a bill that didn't come close to fulfilling that vision. Within minutes of seeing the bill before us, our leader, Howard Hampton, recognized Bill 125 would require substantial amendments to achieve the government's visions and goals; that it fell desperately short of its promised potential.

From the outset, Minister Jackson claimed to have the broad support of the disability community behind him, but the evidence from local newspapers and the limited public hearings on this bill prove otherwise. People criticized you for ramming through public hearings without giving persons with disabilities enough time to attend. Ian Greaves, from the Niagara area, sums it up nicely in a letter to his local newspaper, saying:

"After a delay of more than six and one-half years, the Ontarians with Disabilities Act, Bill 125, was finally tabled on November 5. The legislative process is now moving at a breakneck pace with the government in a panic to have an act passed in six weeks. Second reading of the bill has occurred and public hearings will be finished on December 7. Imposing this tight deadline

proves the government's lack of sincerity in consulting with the 1.6 million people with disabilities in Ontario." **2050**

People criticized you for letting the private sector off the hook. People criticized you for failing to introduce specific barrier-free guidelines that could have been written years ago. People criticized you for failing to produce clear, tangible timelines so that persons with disabilities in Ontario can know exactly when to expect barriers to come crashing down. People criticized you for a bill that, in short, is nothing more than window dressing. It's a window dressing bill, as the *Toronto Star* writes, that you should withdraw.

The *Toronto Star* wrote in a December 10 editorial:

"After waiting so long, lobbying so tenaciously and putting forward so many practical suggestions, citizens with disabilities have a right to expect better legislation than this.

"If Jackson is wise, he will withdraw the bill. It needs major repair work. Racing to meet an artificial deadline, after dawdling and procrastinating for six years, looks a bit silly. There is still time to get it right. It's a question of political will."

The NDP had the political will to make this legislation sing. We worked with the disability community to table a wealth of amendments; to virtually rewrite the bill to make the Ontarians with Disabilities Act the piece of legislation it needs to be. Yesterday, during clause-by-clause consideration of this bill, the government rejected virtually all of those amendments. Today, we rise for the last time to hash over a done deal, a bad deal, a raw deal for persons with disabilities in this province.

Most troubling, however, is Mr Jackson's disingenuous attempt to paint this bill as something it is not. Minister Jackson stood in this House and claimed that the private sector would be covered under this law. "That is a promise made by the Mike Harris government and we'll keep that promise," he said. He didn't keep that promise. Nothing in this bill requires the government ever to make any regulations covering the private sector.

Minister Jackson said during second reading debate that there was a time frame laid out in the law for the private sector to act. In fact, there is no such provision.

Minister Jackson said that, at least as far as transit providers are concerned, they will be required to make accessibility plans and to comply with them. The bill in fact imposes no duty on any organization to comply with their accessibility plans.

The Minister told CBC Radio that the government was "going to force compliance based on the guidelines and the accessibility plans that will be made public for each and every sector in Ontario"—*Metro Morning*, November 6. In fact, the government has no power under this bill to force this compliance. Accessibility plans aren't even required for every sector.

The minister said municipalities would have to consider accessibility when issuing business licenses. In fact, the bill does not require municipalities to consider accessibility when issuing licenses. It only permits them to do so if they wish.

On November 7, Minister Jackson stood in this House and said, "I want to reassure the House that the 11 principles were followed very carefully in drafting this legislation." In fact, Bill 125 is not consistent with 10 of the 11 principles enunciated by the ODA committee, which has been visionary in its push for strong legislation.

Bill 125 does not achieve the barrier-free society for Ontario's 1.6 million people with disabilities as proclaimed in the government's vision statement dated November 1, 2001.

Bill 125 is not a "strong and effective" law, as required by the Ontario Legislature's unanimous resolution adopted on November 23, 1999.

And for that, I say shame on them, shame on them.

Mr Michael Bryant (St Paul's): Time is short. I am unable to speak to this bill for very long for the simple reason that a guillotine motion has been dropped, and therefore one of the most important bills imaginable to any society is being subjected to minimalist debate, minimalist consultation and of course minimalist results. I say that it is a bill with enormous importance because I truly believe that the way in which governments representing their people, representing their electorate, treat people with disabilities is a reflection on the society itself. It is a litmus test, truly, for all of us here.

I was introduced to this political issue during the last provincial election, in no small part because the minister responsible for this portfolio had her own lame version of disabilities legislation that was rejected by the people of St Paul's. I can tell you that disabled Ontarians came out during that election with a moral and civic purpose and force and, I dare say, vengeance.

I remember well the all-candidates meetings, David Lepofsky and many citizens stepping forth to the mike and saying that rights without remedies are worthless, that commitments or objectives are not going to move this along in any meaningful way for people with disabilities. I thought to myself, as the political result was unfolding before me and the minister was paying a serious price for this grave injustice visited upon all Ontarians with their previous effort, that there was no possible way this government would repeat that mistake. And yet it has. Yet again we have a bill which is voluntary. We have no real rights, and whatever rights are put forth have no remedy, which makes them worthless.

It's not just the lack of physical access. Removing barriers for Ontarians with disabilities is not just about the physical obstacles. I recently met with a constituent who came to see me to tell me about her story, her life. Lack of access to education meant lack of opportunities for employment. Lack of opportunities for employment meant barriers to the same lifestyle, the same opportunities that I have as a person without disabilities. As somebody, in this case this constituent, who was finding herself in the twilight of her vocational life, she was saying she didn't want another generation of Ontarians to face what she had, and yet this bill offers no such change and no such hope.

The only hope we have is that what happened to the last minister who attempted to fool Ontarians with a foolish bill befalls this one and that the government is held to account in the same way, on a broader scale, as this minister was in St Paul's.

I'm grateful to all those people who have told me their stories. I'm obviously very grateful to the member for Prince Edward-Hastings for all the work that he has done, and I want the people of St Paul's to know and all those people who came out to let the minister for disabilities know in 1999 that we'll be fighting that fight and we'll not give up on this one until we have a barrier-free Ontario for all Ontarians with disabilities.

Mr Ernie Parsons (Prince Edward-Hastings): When I was in university, I had a professor who said, "The best form of government is a benevolent dictatorship." I disagreed with him then and I disagree with him now. I believe the best form of government is benevolent democracy, but "benevolent democracy" means a government that would do what is best for its citizens, not best for political expediency.

This is a political bill. It gives the appearance of having done something, while actually having done nothing. This is a government that knows the cost of everything and the value of nothing.

Let's think about how this bill, that was much touted, has gone through this chamber. The minister invited and paid for large numbers of Ontarians with disabilities to come for a press conference and support the bill before they had even seen it. Following its introduction, they were not told when second reading was going to take place. They were given almost no time to make arrangements to appear at public hearings. These are people who have to book Wheel-Trans two days ahead. These are people who have to arrange interpreters, and they were given no warning at all on it.

2100

The minister is so proud of the groups that support it. Where are they tonight? Where are the Ontarians with disabilities tonight? They're not here because they do not want to be at the funeral of their dreams, their hopes, their aspirations.

I do want to thank the people who came forward, though, to speak. I regret the minister himself was not able to attend for one minute at any of the public hearings and hear the citizens who live their lives with a disability and are struggling to overcome it and to overcome the barriers we have put in place, what we are doing to block them. They came with genuine, real aspirations that they would be heard. The disappointment they have is reflected in their absence this evening.

They came with some very similar requests, which we heard over and over. They wanted to apply to private industry, where they spend 95% of their time. The government that is so supportive of private industry does not want these people included in accommodation, medical services, shopping, recreation, sports—in anything. They wanted it to be mandatory. Everything else this government does in individuals' lives, they control right

down to the second, but for this particular group nothing will be mandatory to give them any rights.

They wanted enforcement of it, with the mandatory concept. There had to be an agency delegated to do that enforcement. It does not exist. They wanted a timeline. They have waited six and a half years to get this far, and now the only timeline is that five years from now the government will review it again—more and another bitter pill for them to swallow.

I would like to read a letter that one of the presenters read at the session here in Toronto. She says, "At 16, Scott dreams of dating, going to the mall"—this bill doesn't help; "participating in sports and recreational activities and events"—nothing in this bill will make that happen; "plans for post-secondary education"—nothing in this bill makes that happen; and "subsequent employment"—employment that this government touts should be in private industry. This does nothing. Ontarians with disabilities don't want the barriers down for the sake of barriers; they want the barriers down so they can get what is rightfully theirs on the other side of that barrier. They're looking for basic human justice so they can be part of a society they have every right to be part of.

I say to every member on the government side, you have been in contact with and you have had people in your office who have a disability. I want you to think of these people on an individual basis and ask, "Does this bill remove the barrier that they came and talked to me about?" It doesn't, because this bill doesn't remove one barrier. Oh, it will make city hall accessible when city hall is rebuilt or when a new city hall is built. But the question the disabled asked over and over is, "Where do you think I spend my time? At city hall or at the mall?" In the mall, bless them, some of them are voluntary, but if it is worth doing, it is worth making compulsory.

You've come out with a title that is a rip-off of the Americans with Disabilities Act. The 10-year assessment said that the Americans with Disabilities Act works, that industry supported it, that it very clearly incorporates Americans with disabilities. This bill would be better entitled a vague planning act for Ontarians with disabilities who reside in municipalities over 10,000 population. For the vast majority of Ontarians, this bill does absolutely nothing for the municipality. Isn't it great that you get the municipalities to be involved in this so you can dump-load more costs on them? A person with a disability needs to have some assurance that when they leave one part of Ontario and go to another, they will have access to washrooms, they will have access to hotel rooms, they will have access to jobs, they will have access to full citizens' rights no matter where they are in Ontario.

This bill doesn't do it. I don't believe the government initially thought about the range of disabilities we heard about. This bill focuses very heavily on mobility issues—good for it—and yet there is no recognition that those with mobility problems who wish to travel somewhere have to book Wheel-Trans 48 hours ahead. None of you could run your lives having to plan 48 hours ahead, let alone learning of a public hearing you've got to get to the

following day, but having to book two days ahead. You should have known that and shame on you.

For the deaf and the hearing-impaired: nothing in this bill. For the blind: nothing in this bill. In fact, this is a government that refuses to fund a cure for macular degeneration, which would stop people from going blind. If you don't care enough to keep them from going blind, I guess it's consistent that you don't do anything for them when they are blind. Try to imagine living your life deaf and blind in this province. We had a presenter in Ottawa who almost brought us to tears as she shared her life and how there was no attempt by this government to make her a part of her Ontario.

Acquired brain injury had to be added as an afterthought, and thank goodness that got through in amendment. Developmentally handicapped: not really recognized by this government as a person with a disability, but I assure you it is.

The mentally ill: we don't like to talk about mentally ill people. If you've got a broken arm, we can fix that. If you're mentally ill, just please stay out sight and in the background. They are every bit entitled to have services and to be part of this population as every other disabled person. I learned about the environmentally sensitive.

I look at all of these and I go through the act. What barrier does this remove for all of these groups? Absolutely nothing. The minister talks about putting persons with disabilities in the driver's seat; well, it's hard to drive from the back seat. They have no control whatsoever. Everything is advisory: the minister "may consider" and the government "may." We're very, very heavy on "mays" but very light on "shalls," because "shall" would be the word, if we said "shall" or "they must," that would force us to recognize that we have not given the rights to Ontarians with disabilities that they deserve.

I really urge you again to stop thinking about the politics of this bill and think about the person in your riding who has that disability, about the 16-year-old who has dreams and aspirations, and you're saying wait five more years. To a 16-year-old, five more years is a lifetime. We have a unique opportunity and the door is open now.

The minister says that the Liberals have not committed to doing anything. We have made firm commitments to follow the 11 principles—not one of the 11, but the 11. We have committed to involving private industry, to bringing them to the table with the disabled, not in two different rooms, but at one table. We have committed to consulting without requiring the people to sign an oath of confidentiality before they consult. That is an offensive form of consultation, when they consult with the minister but are not permitted to share in any way what they say.

We have committed to passing an Ontarians with Disabilities Act that is meaningful, with full public hearings. Our leader, as Premier, will meet with the community, not like this Premier, who refused to. This bill is a sham and, Speaker, I would like to move adjournment of the House.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2109 to 2139.

The Speaker: Mr Parsons has moved adjournment of the House.

All those in favour of the motion will please rise and remain standing.

Thank you. Please take your seats.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 34; the nays are 47.

Interjections.

The Speaker: They figured it out for themselves. I declare the motion lost.

Pursuant to the order of the House of November 21, I'm now required to put the question.

Mr Jackson has moved third reading of Bill 125, An Act to improve the identification, removal and prevention of barriers faced by persons with disabilities and to make related amendments to other Acts.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

The division bells rang from 2141 to 2146.

The Speaker: All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Amott, Ted	Hodgson, Chris	Newman, Dan
Baird, John R.	Hudak, Tim	O'Toole, John
Barrett, Toby	Jackson, Cameron	Ouellette, Jerry J.
Beaubien, Marcel	Johns, Helen	Runciman, Robert W.
Chudleigh, Ted	Johnson, Bert	Sampson, Rob
Clark, Brad	Kells, Morley	Sterling, Norman W.
Coburn, Brian	Klees, Frank	Stewart, R. Gary
Cunningham, Dianne	Marland, Margaret	Tasca, Joseph N.
DeFaria, Carl	Martiniuk, Gerry	Tilson, David
Dunlop, Garfield	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	Mazzilli, Frank	Turnbull, David
Elliott, Brenda	Miller, Norm	Wettlaufer, Wayne
Galt, Doug	Molinari, Tina R.	Wilson, Jim
Gilchrist, Steve	Munro, Julia	Wood, Bob
Gill, Raminder	Murdoch, Bill	Young, David
Hardeman, Ernie	Mushinski, Marilyn	

The Speaker: All those opposed will please rise one at a time and be recognized by the Clerk.

Nays

Agostino, Dominic	Dombrowsky, Leona	McLeod, Lyn
Bartolucci, Rick	Duncan, Dwight	McMeekin, Ted
Bisson, Gilles	Gravelle, Michael	Parsons, Ernie
Boyer, Claudette	Hampton, Howard	Peters, Steve

Bradley, James J.	Hoy, Pat	Phillips, Gerry
Bryant, Michael	Kormos, Peter	Prue, Michael
Caplan, David	Kwinter, Monte	Pupatello, Sandra
Christopherson, David	Lalonde, Jean-Marc	Ruprecht, Tony
Churley, Marilyn	Levac, David	Sergio, Mario
Colle, Mike	Marchese, Rosario	Smitherman, George
Crozier, Bruce	Martel, Shelley	
Di Cocco, Caroline	Martin, Tony	

Clerk of the House: The ayes are 47; the nays are 34.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Mr Dwight Duncan (Windsor-St Clair): On a point of order, Mr Speaker: I seek unanimous consent to place a motion that would call government order G139, second reading of Bill 139, An Act to establish the University of Ontario Institute of Technology.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

SOUTH ASIAN HERITAGE ACT, 2001

LOI DE 2001 SUR L'HÉRITAGE SUD-ASIATIQUE

Mr Gill moved third reading of the following bill:

Bill 98, An Act to proclaim May as South Asian Heritage Month and May 5 as South Asian Arrival Day /
Projet de loi 98, Loi proclamant le mois de mai Mois de l'héritage sud-asiatique et le 5 mai Jour de l'arrivée des Sud-Asiatiques.

The Speaker (Hon Gary Carr): Pursuant to the order of the House dated December 12, I'm now required to put the question.

Mr Gill has moved third reading of Bill 98. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2151 to 2221.

The Speaker: Mr Gill has moved third reading of Bill 98.

All those in favour will please rise one at a time and be recognized by the Clerk.

Ayes

Agostino, Dominic	Gill, Raminder	Munro, Julia
Arnott, Ted	Gravelle, Michael	Murdoch, Bill
Baird, John R.	Hampton, Howard	Mushinski, Marilyn
Barrett, Toby	Hardeman, Ernie	Newman, Dan
Bartolucci, Rick	Hodgson, Chris	O'Toole, John
Bisson, Gilles	Hoy, Pat	Ouellette, Jerry J.
Boyer, Claudette	Hudak, Tim	Parsons, Ernie
Bradley, James J.	Jackson, Cameron	Peters, Steve
Bryant, Michael	Johns, Helen	Phillips, Gerry
Caplan, David	Johnson, Bert	Prue, Michael
Christopherson, David	Kells, Morley	Pupatello, Sandra
Chudleigh, Ted	Klees, Frank	Ruprecht, Tony
Churley, Marilyn	Kormos, Peter	Sampson, Rob
Clark, Brad	Kwinter, Monte	Sergio, Mario
Coburn, Brian	Lalonde, Jean-Marc	Smitherman, George
Colle, Mike	Levac, David	Sterling, Norman W.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 79; the nays are 0.

The Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Mr Monte Kwinter (York Centre): On a point of order, Mr Speaker: I ask for unanimous consent to call order G88, second reading of Bill 88, An Act to revise The Ontario College of Art Act, 1968-69.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Government House leader.

Hon Janet Ecker (Minister of Education, Government House Leader): Mr Speaker, I would like to seek unanimous consent to put a motion concerning orders for second and third readings of private bills.

The Speaker: Is there unanimous consent? Agreed.

Hon Mrs Ecker: I move that we call the orders for second and third readings on Bill Pr3, Bill Pr10, Bill Pr15 and Bill Pr25 so that they may be moved and considered concurrently and without further debate or amendment, and to proceed with second and third readings of Bill Pr24 and Bill Pr21, notwithstanding that they have not been reprinted, without further debate or amendment, and that in the case of any division on any of these bills, the division bells be limited to five minutes.

The Speaker: Mrs Ecker seeks unanimous consent to call orders for second and third readings of Bill Pr3, Bill Pr10, Bill Pr15 and Bill Pr25 so that they may be moved and considered concurrently and without further debate or amendment, and to proceed with second and third readings of Bill Pr24 and Bill Pr21, notwithstanding that they have not been reprinted, without further debate or amendment, and that in the case of any division on any of the bills, the division bells be limited to five minutes.

Is it the pleasure of the House that the motion carry? Carried.

1268519 ONTARIO INC. ACT, 2001

Mr Gill moved second reading of the following bill:

Bill Pr3, An Act to revive 1268519 Ontario Inc.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Gill moved third reading of the following bill:

Bill Pr3, An Act to revive 1268519 Ontario Inc.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

237661 BUILDERS LIMITED ACT, 2001

Mr Bartolucci moved second reading of the following bill:

Bill Pr10, An Act to revive 237661 Builders Limited.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Bartolucci moved third reading of the following bill:

Bill Pr10, An Act to revive 237661 Builders Limited.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SIoux LOOKOUT MENO-YA-WIN HEALTH CENTRE ACT, 2001

Mr Hampton moved second reading of the following bill:

Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Hampton moved third reading of the following bill:

Bill Pr15, An Act to establish the Sioux Lookout Meno-Ya-Win Health Centre.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF OTTAWA ACT (CONSOLIDATION OF SPECIAL ACTS), 2001

Mr Galt, on behalf of Mr Guzzo, moved second reading of the following bill:

Bill Pr21, An Act respecting the City of Ottawa.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Galt, on behalf of Mr Guzzo, moved third reading of the following bill:

Bill Pr21, An Act respecting the City of Ottawa.

The Speaker: Is it the pleasure of the House that motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

2230

CITY OF OTTAWA ACT (TAXICABS), 2001

Mr Galt, on behalf of Mr Guzzo, moved second reading of the following bill:

Bill Pr24, An Act respecting the City of Ottawa.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Galt, on behalf of Mr Guzzo, moved third reading of the following bill:

Bill Pr24, An Act respecting the City of Ottawa.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

NIPISSING UNIVERSITY ACT, 2001

Mr Miller moved second reading of the following bill:

Bill Pr25, An Act respecting Nipissing University.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry? Carried.

Mr Miller moved third reading of the following bill:

Bill Pr25, An Act respecting Nipissing University.

The Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Hon Janet Ecker (Minister of Education, Government House Leader): I seek unanimous consent to move two motions pertaining to Bill 10 and Bill 131 to refer them to committee.

The Speaker: Is there unanimous consent? I'm afraid I heard a no.

Hon Mrs Ecker: I would also like to seek unanimous consent to move a motion for second and third reading of Bill 128, An Act to permit the naming of highway bridges and other structures on the King's Highway in memory of police officers who have died in the line of duty, and to have the questions put without further debate or amendment.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I would seek unanimous consent to move a motion regarding the second and third reading of Bill 35, An Act proclaiming Irish Heritage Day.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I'd like to ask for unanimous consent to have the order referring Bill 116, An Act to proclaim Archives Awareness Week, to the standing committee on finance and economic affairs, be discharged and that we call that bill for third reading.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I would also like to ask for unanimous consent to move a motion regarding Bill 95, An Act requiring open meetings and more stringent conflict rules for provincial municipal boards; and also Bill 53, An Act requiring the disclosure of payments to former public sector employees. I'd like to seek unanimous consent to move motions regarding those two bills.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I believe Mr Bryant has a motion.

Interjection.

Hon Mrs Ecker: It's coming? Sorry; I'll move on to other things.

I would like to seek unanimous consent to move an order regarding An Act to amend the Arthur Wishart Act.

The Speaker: Is there unanimous consent? Agreed? Sorry, I heard some noes.

Hon Mrs Ecker: I would like to seek unanimous consent to call second and third reading of Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, and some other wording around that.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I would like to ask for unanimous consent to call second and third reading of Bill 90, An Act to promote the reduction, reuse and recycling of waste.

The Speaker: Is there unanimous consent? I'm afraid I heard a no.

Hon Mrs Ecker: I seek unanimous consent to call third reading of Bill 101, An Act to protect students from sexual abuse and to otherwise provide for the protection of students.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Dianne Cunningham (Minister of Training, Colleges and Universities, minister responsible for women's issues): I seek unanimous consent to call second and third reading of Bill 139, An Act to establish the University of Ontario Institute of Technology.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Cunningham: I seek unanimous consent to call second and third reading of Bill 88, An Act to revise The Ontario College of Art Act, 1968-69.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Interjection: Sorry, Mr Speaker.

The Speaker: It's OK; we're actually doing pretty well, all things considered. I'm getting in shape if we keep getting up and down like this.

Hon Chris Hodgson (Minister of Municipal Affairs and Housing): I seek unanimous consent to call second and third reading of Bill 135, An Act to recognize On-

tario's recreational hunting and fishing heritage and to establish the Fish and Wildlife Heritage Commission, and to have the questions put immediately thereon without further debate or amendment.

The Speaker: Is there unanimous consent? I'm afraid I heard some noes.

Hon Mrs Ecker: I seek unanimous consent to move a motion respecting Bill Pr22.

The Speaker: Just so we're clear—

Interjections.

The Speaker: Order. Just so you know, we are missing some of the numbers.

Interjections.

The Speaker: Order. We're missing some numbers. Some people aren't hearing because there's some chatter. It's near the end of the day. We need to hear. A very important bill may be coming. I would appreciate all the members please listening. Sorry again to the government House leader.

Hon Mrs Ecker: I seek unanimous consent to move a motion respecting Bill Pr22.

The Speaker: Is there unanimous consent? Agreed? I'm sorry; I did hear a no. I apologize.

Hon Mrs Ecker: I move that the House do now adjourn.

The Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 2238 to 2308.

The Speaker: All those in favour will please rise and remain standing. Thank you. The members may take their seats.

All opposed will please rise and remain standing. Thank you.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 38; the nays are 26.

The Speaker: I declare the motion carried.

Just before we adjourn, I want to wish everyone a merry Christmas and a happy new year.

This House stands adjourned until March 18 at 1:30 of the clock.

The House adjourned at 2310.

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